



NOTICE OF THE REGULAR MEETING OF THE
PLANNING & ZONING COMMISSION

April 01, 2026 at 6:00 PM

Argyle Town Hall, 308 Denton Street, Argyle, TX 76226

AGENDA

Notice is hereby given of the Regular Meeting of the Planning & Zoning Commission beginning at 6:00 PM, Wednesday, April 01, 2026, at Argyle Town Hall, 308 Denton Street, Argyle, TX 76226. The Items listed below are placed on the agenda for discussion and/or action.

COMMISSION MEMBERS AND TOWN MANAGEMENT

Paul Kula, Chairperson, Place 1

David Snell, Vice-Chair, Place 5

Jody Johnson, Place 2

Matt Nelson, Place 3

Marilyn Lewis, Place 4

Kenton Miersma, Place 6

Michael Udovic, Place 7

Harrison Wicks, Community Development Director

Brenda McDonald, Town Attorney

CALL TO ORDER

PLEDGE OF ALLEGIANCE

American Flag

Texas Flag: "Honor the Texas Flag; I pledge allegiance to thee Texas, one state under God, one and indivisible."

OPEN FORUM

This is an opportunity for the public to address the Commission on any matter of public business, except public hearings. Any Comments related to public hearings will be heard when the specific hearing begins. Each speaker is limited to five (5) minutes; however, time limits can be adjusted by the Chairperson. Any response from a member of the Commission is limited to a statement of specific factual information, a recitation of existing policy, or direction to staff to place the subject on the agenda for a future Planning and Zoning Commission meeting.

CONSENT AGENDA

Any Commission member may request an item on the Consent Agenda to be taken up for individual consideration.

1. Consider approval of the minutes of the Regular Planning and Zoning Commission Meeting of March 4, 2026.

STAFF REPORT

2. Active Development Project List and Town updates.

ACTION ITEMS

3. Consider and make a recommendation to Town Council on a Private Access Amenity Plan for the Knights Ridge private subdivision, located on the west side of FM 1830, being Lots 1-25, 26X & 27X Block 1, being 72.126 acres situated in the T&P RR Co survey abstract no. 1293, Town of Argyle Denton County, Texas.
4. Consider and make a recommendation to Town Council on an ordinance amendment (TDS-26-004) to Article 8.02, Nuisances, of the Town of Argyle Code of Ordinances regarding amendments to Section 8.02.003 Noise and other related provisions in the Code of Ordinances.

PUBLIC HEARING ITEMS

5. Hold a public hearing, consider and make a recommendation to Town Council on an amendment to Specific Use Permit Ordinance 2023-26 (SUP-26-001) for a Child Day Care Center (Business) located at 319 South US Hwy 377, Town of Argyle, Denton County, Texas.
6. Hold a public hearing, consider and make a recommendation to Town Council on a zoning change amendment to Ordinance 2019-11 for Cook Street Restaurant (Z-26-002), being approximately 1.143 acres of land, being a portion of Stephen A. Chambers Survey, Abstract No. 0308A, and being located on the southeast corner of the Cook Street and U.S. Hwy. 377 intersection, located in the Town of Argyle, Denton County, Texas.
7. Hold a public hearing, consider and make a recommendation to Town Council on an ordinance amendment (TDS-26-002) to Article III, Zoning, of the Town of Argyle Town Development Standards regarding the creation of Section 14.3.80 – Non-Fixed Food Establishments and other related provisions in the Town Development Standards.
8. Hold a public hearing, consider and make a recommendation to Town Council on an ordinance amendment (TDS-26-003) to Article III, Zoning, of the Town of Argyle Town Development Standards regarding an amendment to Section 14.3.67 – Landscape Requirements and other related provisions in the Town Development Standards.
9. Hold a public hearing, consider and make a recommendation to Town Council on an ordinance amendment (TDS-26-005) to remove Article III, Zoning, Part 5 Development Standards, Section 14.3.76 Lighting and Glare Standards, and establishing Article VIII, Outdoor Lighting, and other related provisions in the Town Development Standards.

10. Hold a public hearing, consider and make a recommendation to Town Council on an ordinance amendment (TDS-26-006) to Article I, General, of the Town of Argyle Town Development Standards regarding an amendment to Section 14.1.5 – Definitions for Development, Large Scale and other related provisions in the Town Development Standards.

ADJOURN

Note: As authorized by Section 551.071 of the Texas Government Code (Consultation with Town Attorney), this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the Town Attorney on any agenda item herein.

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at Argyle Town Hall, a place convenient and readily accessible to the general public at all times, and to the Town's website in compliance with Chapter 551, Texas Government Code, on **March 26, 2025, by 5:00 p.m.** and remained posted for at least three (3) business days preceding the scheduled time of said meeting.

Harrison Wicks

Harrison Wicks, MPA

Director of Community Development



Persons with disabilities who plan to attend this public meeting and who may need auxiliary aid or services are requested to contact the Argyle Town Hall 48 hours in advance, at 940-464-7273, and reasonable accommodations will be made for assistance.

**MINUTES OF THE TOWN OF ARGYLE
PLANNING AND ZONING COMMISSION REGULAR MEETING
WEDNESDAY, MARCH 4, 2026**

A regular meeting of the Argyle Planning and Zoning Commission was held on Wednesday, March 4, 2026, at 6:00 PM. This was an OPEN MEETING, open to the public, subject to the open meeting laws of the State of Texas and, as required by law, was hereby posted on February 26, 2026, at 5:00 PM, at Argyle Town Hall, giving notice of time, date, place, and agenda thereof.

PLANNING AND ZONING COMMISSION MEMBERS PRESENT:

Paul Kula, Chairman
David Snell, Vice-Chair
Jody Johnson
Marilyn Lewis
Matt Nelson
Kenton Miersma

PLANNING AND ZONING COMMISSION MEMBERS ABSENT:

Mike Udovic

STAFF PRESENT:

Mike Sims, Town Manager
Brenda McDonald, Town Attorney
Harrison Wicks, Director of Community Development
Susan Raabe, Senior Planner

REGULAR MEETING AGENDA

CALL TO ORDER – Chairman

The regular meeting was called to order at 6:02 PM by Chairman Kula noting a quorum was present.

PLEDGE OF ALLEGIANCE – American Flag

PLEDGE OF ALLEGIANCE – Texas Flag - “Honor the Texas Flag; I pledge allegiance to thee Texas, one state, under God, one and indivisible”.

OPEN FORUM:

Pursuant to Section 551.007 of the Texas Government Code, any member of the public has the opportunity to address the Planning and Zoning Commission concerning any matter of public business or any posted agenda item; however, the Act prohibits the Planning and Zoning Commission from deliberating any issues not on the public agenda and such non-agenda issues may be referred to Town staff for research and any future action; all persons addressing are limited to five (5) minutes and subject to council adopted rules and limitations permitted by law.

Chairman Kula opened the meeting to public comment at 6:04 PM. With no speakers, Chairman Kula closed the open forum at 6:05 PM.

CONSENT AGENDA

- 1. Consider approval of the minutes of the Regular Planning and Zoning Commission Meeting of February 4, 2026.**

2. Consider approval of the minutes of the Special Planning and Zoning Commission Meeting of February 25, 2026.

Commissioner Lewis motioned to approve the minutes as presented. Commissioner Johnson seconded the motion. The motion carried unanimously by a vote of six (6) in favor to none (0) opposed.

STAFF REPORT

3. Active Development Project List and Town Updates.

Town staff provided the commission with recent development project updates and gave an overview of upcoming projects. No action was taken.

PUBLIC HEARING ITEMS

4. Hold a public hearing, consider and make a recommendation to Town Council on a Zoning Change Request (Z-25-003) from Community Retail (CR) to a Planned Development with a base zoning of Community Retail (CR) for the Heath Tract Planned Development District on a 141.67-acre tract of land, known as James P Heath Addition, Block A, Lot 1, located on the northeast corner of I-35W and FM 407 W in the Patrick Rock Survey, Abstract 1063, Town of Argyle, Denton County, Texas.

Town Manager Mike Sims provided a presentation on the item. The Commission discussed the item and considered the zoning change request. The applicant Shiva Kondru with Argyle Commercial 94 Land, LLC presented and answered questions from the commissioners.

Chairman Kula opened the public hearing at 8:14 PM. The following individuals spoke:

1. Joan Delashaw, 242 Herriott Lane, Argyle, TX 76226.

With no more speakers, Chairman Kula closed the public hearing at 8:20 PM.

Commissioner Lewis motioned to recommend approval to Town Council for zoning change request (Z-25-003) from Community Retail (CR) to a Planned Development with a base zoning of Community Retail (CR) for the Heath Tract Planned Development District with the following conditions:

1. That Section 1.3.2.4 be added to read "The development shall be Dark Sky compliant and no element of this ordinance shall waive the dark sky requirement."
2. That a landscaped berm be constructed along FM 407.
3. That the temporary batch plant use be eliminated as a permitted use.
4. That Section 4.1.2.2 be revised to say loading docks may not be visible from the street.
5. That the Hotel definition be revised to read "Hotels shall be a full-service, offering room service, full-service restaurant and menu-offered breakfast, lunch and dinner with not less than 5,000 sq. ft. of meeting space; and meets or exceeds the level of upscale hotel as defined in Smith's Travel Research."
6. That the Special Events venue use not be allowed in Area D.
7. That stormwater retention or detention be prohibited in the designated 36.6 acre open space area unless required by the Town.
8. That Section 4.1.2.3 be deleted in its entirety.

9. That Section 4.1.2.4 be revised to prohibit outside storage of merchandise.
10. That the Hotel definition include the meaning of temporary lodging to mean 90 percent of the rooms are let for 30 days or less.
11. That the Phase 1 roads will be required for any combination of uses in Phase 1 that exceeds 20,000 sq. ft.
12. That Gateway Blvd must be constructed to the rear of any developed parcel.

Commissioner Nelson seconded the motion. The motion carried unanimously by a vote of six (6) in favor to none (0) opposed.

5. Hold a public hearing, consider, and make a recommendation to Town Council on a Future Land Use Plan amendment (FLUP-26-001) from Estate Residential 1-acre to Mixed Use for a 10.00-acre tract of land out of the S.A. Chambers Survey, Abstract No. 308, being the northern portion of the E. W. Yeck Addition, Lot 1R-1, Town of Argyle, Denton County, Texas.

Town Manager Mike Sims provided a presentation on the item. The Commission discussed the item and considered the future land use plan amendment.

Chairman Kula opened the public hearing at 9:39 PM. The following individuals spoke:

1. Jim Juergens, 653 Manor Drive, Argyle, TX 76226 – Spoke in opposition
2. Mark Schuster, 627 Manor Drive, Argyle, TX 76226 – Spoke in opposition
3. Nancy Schuster, 627 Manor Drive, Argyle, TX 76226 – Spoke in opposition
4. Danny Allison, 635 Manor Drive, Argyle, TX 76226 – Spoke in opposition

With no more speakers, Chairman Kula closed the public hearing at 9:49 PM.

Commissioner Miersma motioned to recommend denial of the Future Land Use Plan amendment (FLUP-26-001) from Estate Residential 1-acre to Mixed Use on the 10-acre tract of land, as presented. Commissioner Nelson seconded the motion. The motion carried unanimously by a vote of six (6) in favor to none (0) opposed.

6. Hold a public hearing, consider, and make a recommendation to Town Council on a Zoning Change Request (Z-26-001) from Single Family 2.5 acre Residential Estate (SF-2.5) to Local Retail (LR) for a 10.00-acre tract of land out of the S.A. Chambers Survey, Abstract No. 308, being the northern portion of the E. W. Yeck Addition, Lot 1R-1, Town of Argyle, Denton County, Texas.

Town Manager Mike Sims provided a presentation on the item. The Commission discussed the item and considered the zoning change request.

Chairman Kula opened the public hearing at 10:29 PM. The following individual spoke:

1. Jim Juergens, 653 Manor Drive, Argyle, TX 76226 – Spoke in opposition

With no more speakers, Chairman Kula closed the public hearing at 10:30 PM.

Commissioner Johnson motioned to recommend denial of the zoning change request (Z-26-001) from Single Family 2.5-acre Residential Estate (SF-2.5) to Local Retail (LR) on the 10-acre tract of land, as presented. Commissioner Miersma seconded the motion. The motion carried by a vote of five (5) in favor to one (1) opposed. Commissioner Lewis dissented.

7. Hold a public hearing, consider, and make a recommendation to Town Council on ordinance amendment (FLUP-26-002) to the Thoroughfare Plan of the Town of Argyle Comprehensive Plan adopted June 17, 2024 as Ordinance 2024-17.

Town Manager Mike Sims provided a presentation on the item. The Commission discussed the item and considered the Thoroughfare Plan revisions. Travis Phemister with Kimley Horn answered questions as well.

Chairman Kula opened the public hearing at 10:51 PM. The following individual spoke:

1. Joan Delashaw, 242 Herriott Lane, Argyle, TX 76226.

With no more speakers, Chairman Kula closed the public hearing at 10:57 PM.

Commissioner Lewis motioned to recommend approval to Town Council for ordinance amendment (FLUP-26-002) to the Thoroughfare Plan with a condition that the Heritage Planned Development roads be added to the Thoroughfare Plan. Vice-Chair Snell seconded the motion. The motion carried by a vote of five (5) in favor to one (1) opposed. Commissioner Nelson dissented.

ACTION ITEM

8. Consider and make a recommendation to Town Council on Site Plan request (SP-26-001) for the proposed Akshya Foods, LLC development and restaurant use, located at 606 N US Hwy 377, being on 0.36 acres of land, known as The Original Town of Argyle, Lots 5-10, Block 8, in the J. Davis Survey, Abstract 325, Town of Argyle, Denton County, Texas.

Director Wicks provided a presentation on the item. Applicant and property owner Pavan Damarapati presented and answered questions from the commissioners. The Commission discussed the item and considered the site plan request.

Chairman Kula motioned to recommend approval to Town Council for Site Plan request (SP-26-001) for the proposed Akshya Foods, LLC development and restaurant use with a condition that the outdoor seating be removed from the site plan, or 4 more parking spaces be added to the property. Commissioner Miersma seconded the motion. The motion carried by a vote of four (4) in favor to two (2) opposed. Commissioners Lewis and Snell dissented.

WORKSHOP ITEM

9. Discuss potential ordinance amendments and development standard updates.

Town Manager Mike Sims provided a presentation on the item. The commissioners agreed the proposed ordinance amendments are beneficial and should be considered for approval during the next PZ Commission meeting. No action taken.

ADJOURNMENT

Commissioner Lewis moved to adjourn the meeting. Commissioner Nelson seconded the motion. The motion carried unanimously by a vote of six (6) in favor to none (0) opposed at 11:49 PM.

APPROVED THIS THE 1ST DAY OF APRIL 2026.

WITNESS:

Paul Kula, Chairperson

Harrison Wicks, Director of Community
Development

Active DRC Project List - 4.1.2026

SI	Project #	Project Name	Type/Location	Status	Comments
1	SUP-25-003	AISD Middle School Light Sports Court Use	Specific Use Permit	Scheduled for Future PZ Meeting, Must see lights on at night first	Specific Use Permit (SUP-25-003) for a Sports Court (Lighted) on a school site owned by the Argyle Independent School District (AISD) located on the north side of FM 407 on the James P Heath Addition, Lot 1, Block A (south part), Town of Argyle, Denton County, Texas.
2	Z-26-001 & FLUP-26-001	Town owned 6-acre Property on FM 407, plus 4 acres of property to the south	Zoning Change and Future Land Use Amendment	Scheduled for TC 4.20.26	Staff is working with the property owner of the 12 acres to the south of the Town owned property on the zoning change and future land use plan amendment. The P&Z Commission recommended denial during their meeting on March 4, 2026. During their meeting on March 23, 2026 Town Council tabled these items to the next Town Council meeting on April 20, 2026.
3	Z-25-003	Heath Tract	Planned Development	Scheduled for TC 4.20.26	During their meeting on March 23, 2026 Town Council tabled this item to the next Town Council meeting on April 20, 2026 at the request of the applicant.
4	N/A	Knights Ridge	Private Access Amenity Plan	Scheduled for PZ 4.1.26	The developer for the Knights Ridge development submitted a Private Access Amenity Plan for review. This property is located on the west side of FM 1830, being Lots 1-25, 26X & 27X Block 1, being 72.126 acres situated in the T&P RR Co survey abstract no. 1293, Town of Argyle Denton County, Texas.
5	SUP-26-001	Argyle Christian Academy	SUP Amendment	Scheduled for PZ 4.1.26	Staff received an application to amend Specific Use Permit Ordinance 2023-26 & 2024-25 (SUP-26-001) for a Child Day Care Center (Business) located at 319 South US Hwy 377, Town of Argyle, Denton County, Texas. The property owner is requesting to remove a condition of vehicular access on the SUP.
6	Z-26-002	Rapid Med	Zoning Change Amendment	Scheduled for PZ 4.1.26	Staff received a zoning change amendment to Ordinance 2019-11 for Cook Street Restaurant (Z-26-002), being approximately 1.143 acres of land, being located on the southeast corner of the Cook Street and U.S. Hwy. 377 intersection, which is the site of the Rapid Med medical office. The property owner is requesting to remove a condition of vehicular access on the zoning ordinance.
7	N/A	Argyle Sports Academy	Construction Plans	Town Staff Review	Staff is continuing to review the construction plan submittal for the Argyle Sports Academy located on a portion of Lot 92, Block D in Argyle Landing, located in the F.W. Thornton Survey, Abstract Number 1244, Town of Argyle, Denton County, Texas.
8	N/A	Marsden Tract - Argyle Marketplace	Construction Plans	Town Staff Review	Staff is continuing to review the construction plan submittal for the Marsden Tract - Argyle Marketplace development, located on a 1.97-acre tract of unplatted land, known as A0308A S.A. Chambers, Tract 20, addressed as 409 US Hwy 377 South, Town of Argyle, Denton County, Texas. Town staff is also working on the building relocation of the train depot to Town property on Front Street. 3rd party contractor, Denton County Housemovers, is preping the building now for future transport.
9	N/A	Tribes Church	Construction Plans	Town Staff Review	Staff is continuing to review the construction plan submittal for the Tribes Church off of FM 407



PLANNING AND ZONING COMMISSION STAFF REPORT

Meeting Date: April 1, 2026

To: Chairman and Members of the Planning and Zoning Commission

From: Harrison Wicks, Director of Community Development

Subject: Private Access Amenity Plan for the Knights Ridge private subdivision, located on the west side of FM 1830

Purpose:

Consider and make a recommendation to Town Council on a Private Access Amenity Plan for the Knights Ridge private subdivision, located on the west side of FM 1830, being Lots 1-25, 26X & 27X Block 1, being 72.126 acres situated in the T&P RR Co survey abstract no. 1293, Town of Argyle Denton County, Texas.

Existing Condition of Property:

The property, zoned SF-2.5 – Single Family Residential Estate-2.5 District, and the majority of the property contains open pasture with clusters of mature trees scattered throughout the site.

Adjacent Existing Land Uses and Zoning:

North: SF-2.5 – Single Family Residential Estate-2.5 District (Residential uses)
 South: SF-2.5 – Single Family Residential Estate-2.5 District (Residential uses)
 East: Denton County – Out of Town Limits (Commercial uses)
 West: SF-2.5 – Single Family Residential Estate-2.5 District (Residential uses)

Development Review Analysis:

Section 14.2.91 Private Street/Gated Communities of the Town’s subdivision ordinance requires that a private access amenity plan be provided to the PZ Commission and Town Council for approval. Below is the language from the Town’s subdivision ordinance:

Private Access Amenity Plan. For each private street development, a private access amenity plan shall be submitted to the Town Secretary or designee for review and comment prior to submission to the Planning and Zoning Commission and Town Council. This will provide opportunity to review proposed controlled access mechanisms, access points, landscaping, screening walls, or similar buffering barriers, and other related private street components.

After review, the private access amenity plans provide adequate landscaping along FM 1830, as well as enhance the corridor with masonry screening walls and structures that create a focal point at the main entrance.

Staff Recommendation:

Staff recommend approval of the Private Access Amenity Plan for the Knights Ridge private subdivision, located on the west side of FM 1830, as presented.

Attachments:

Exhibit A – Hardscape and Landscape Plans

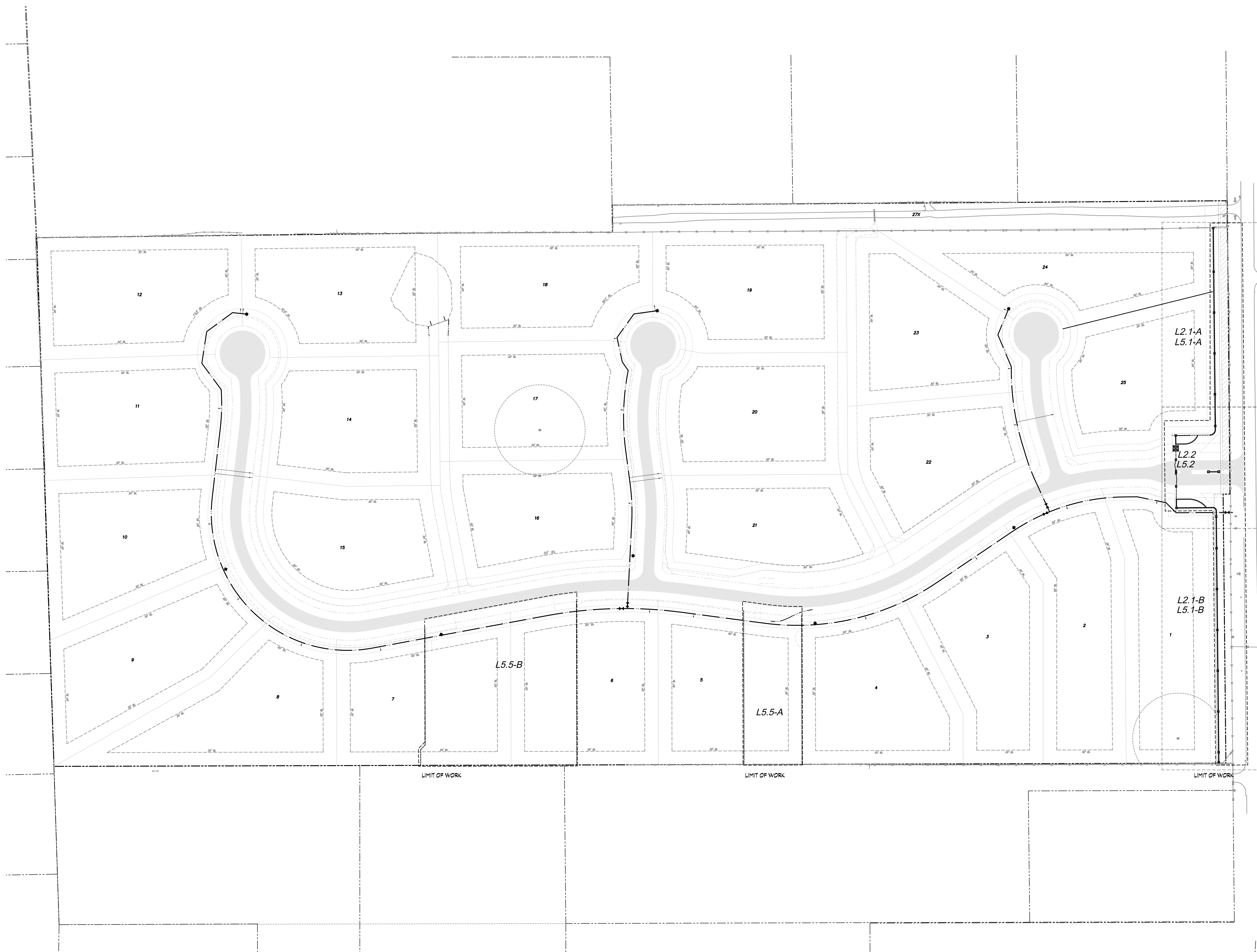
YTL Inc.
Landscape Services

2646 Sam School Road
Westlake, Texas 76262
Office: 817.421.6646

ARGYLE, TEXAS
DENTON COUNTY

CANNA CAPITAL SERIES 13 LLC

KNIGHT'S RIDGE



Document Date:
12/11/2025

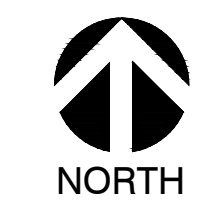
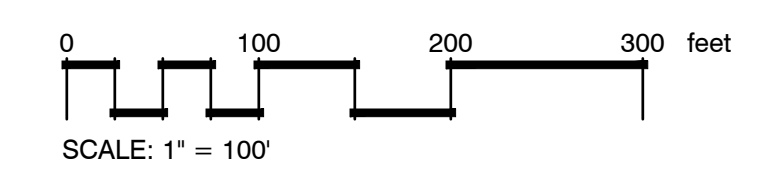
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1/27/2026

Document Phase:
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Rev. Date	Remarks
X MM/DD/2025	Description

SITE

L2.0



SITE A
Scale: 1" = 100' L2.0

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DENTON COUNTY

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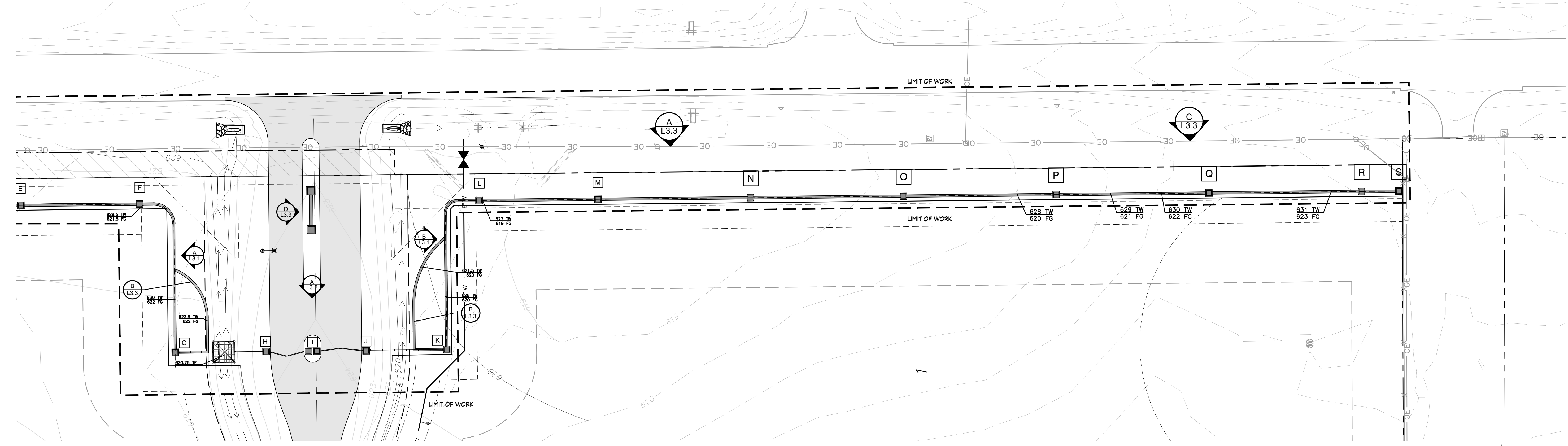
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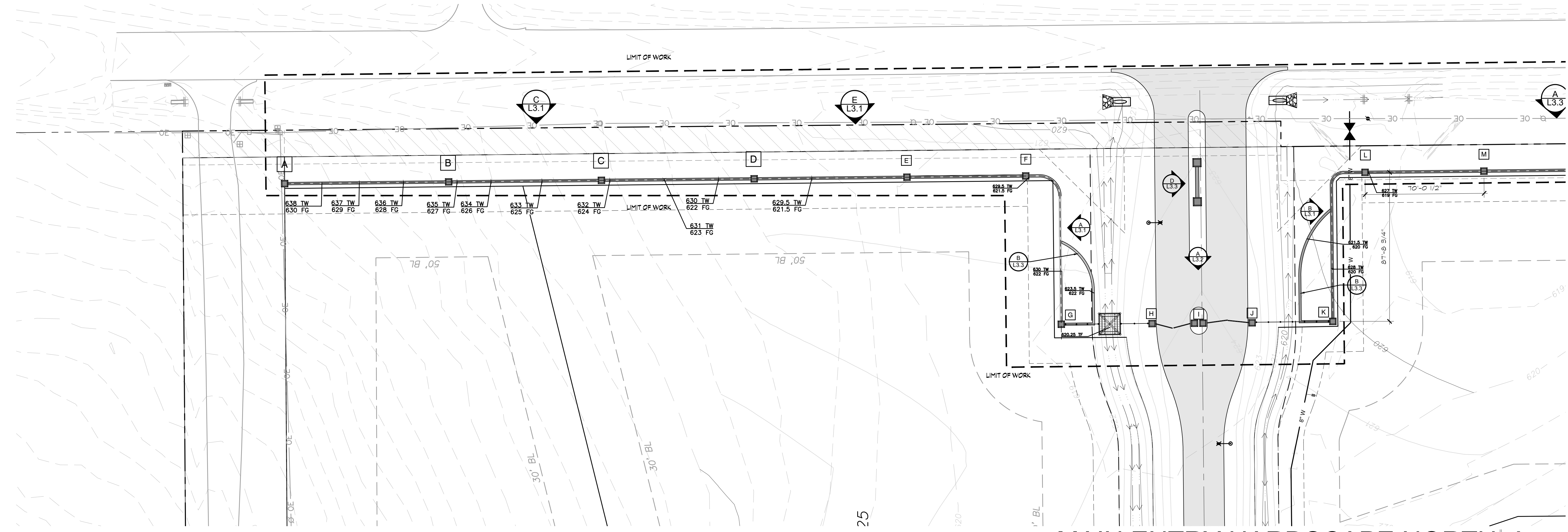
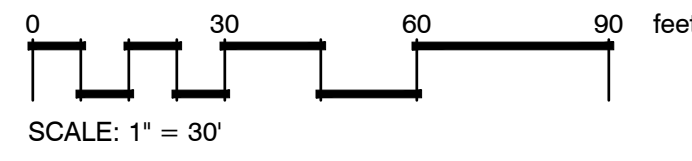
HARDSCAPE

L2.1



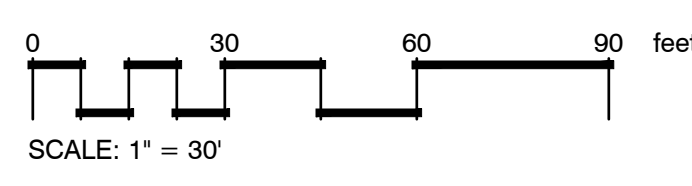
MAIN ENTRY HARDSCAPE SOUTH B

Scale: 1" = 30' L2.1

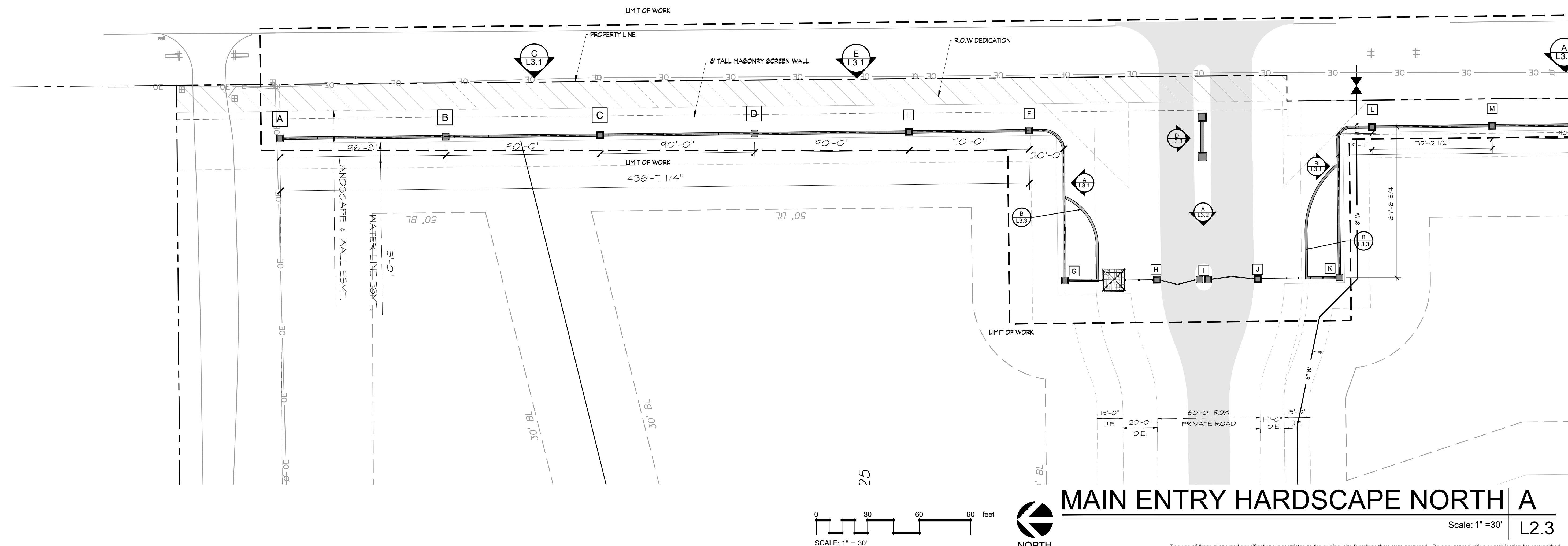
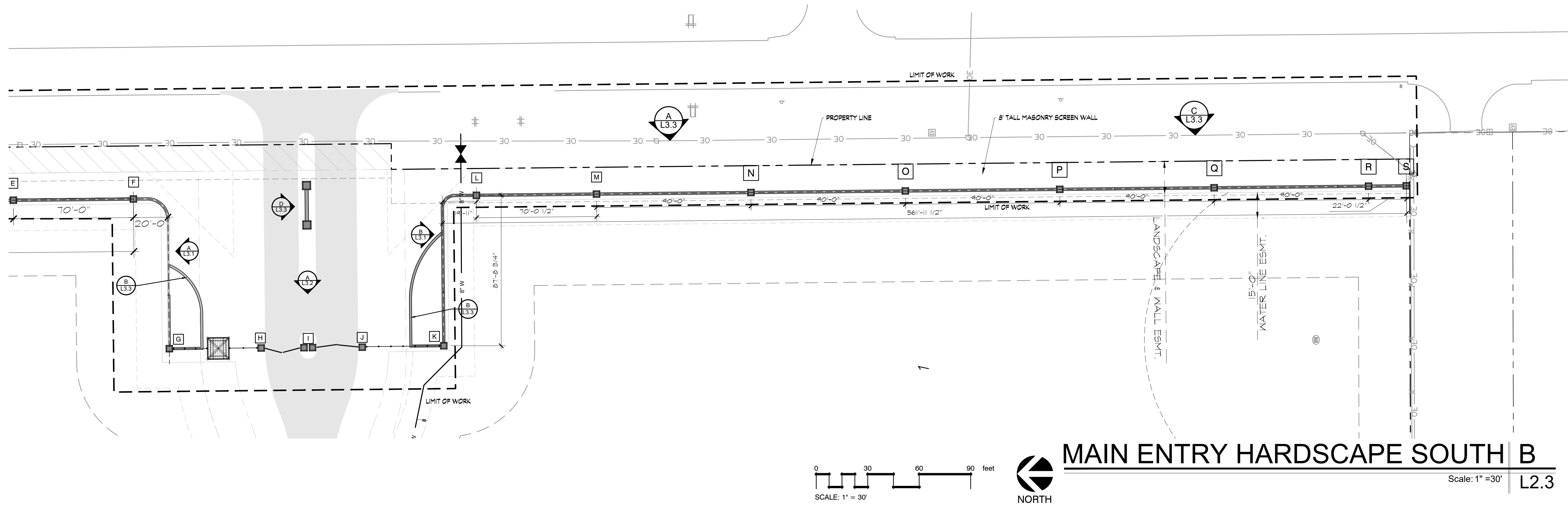


MAIN ENTRY HARDSCAPE NORTH A

Scale: 1" = 30' L2.1



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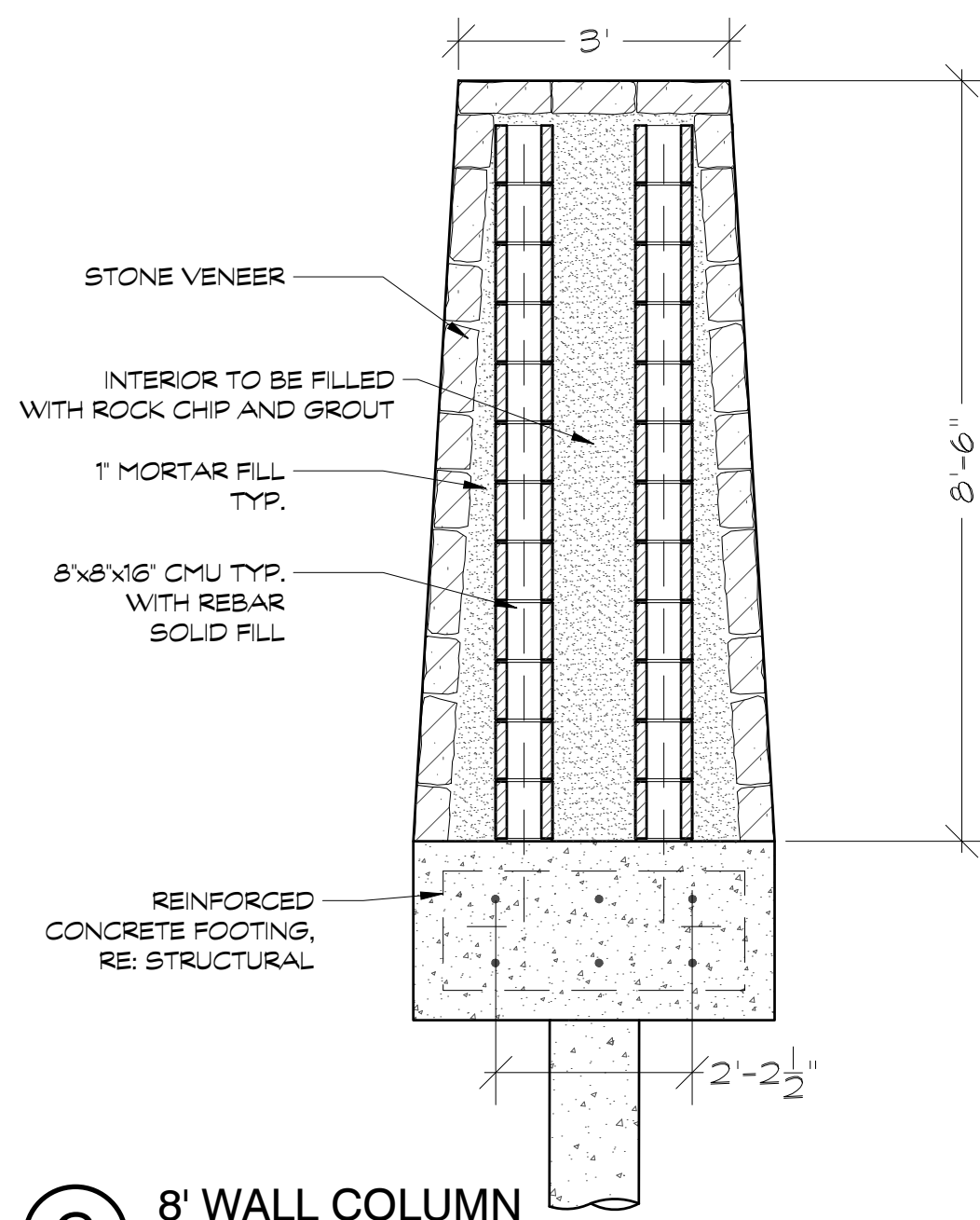
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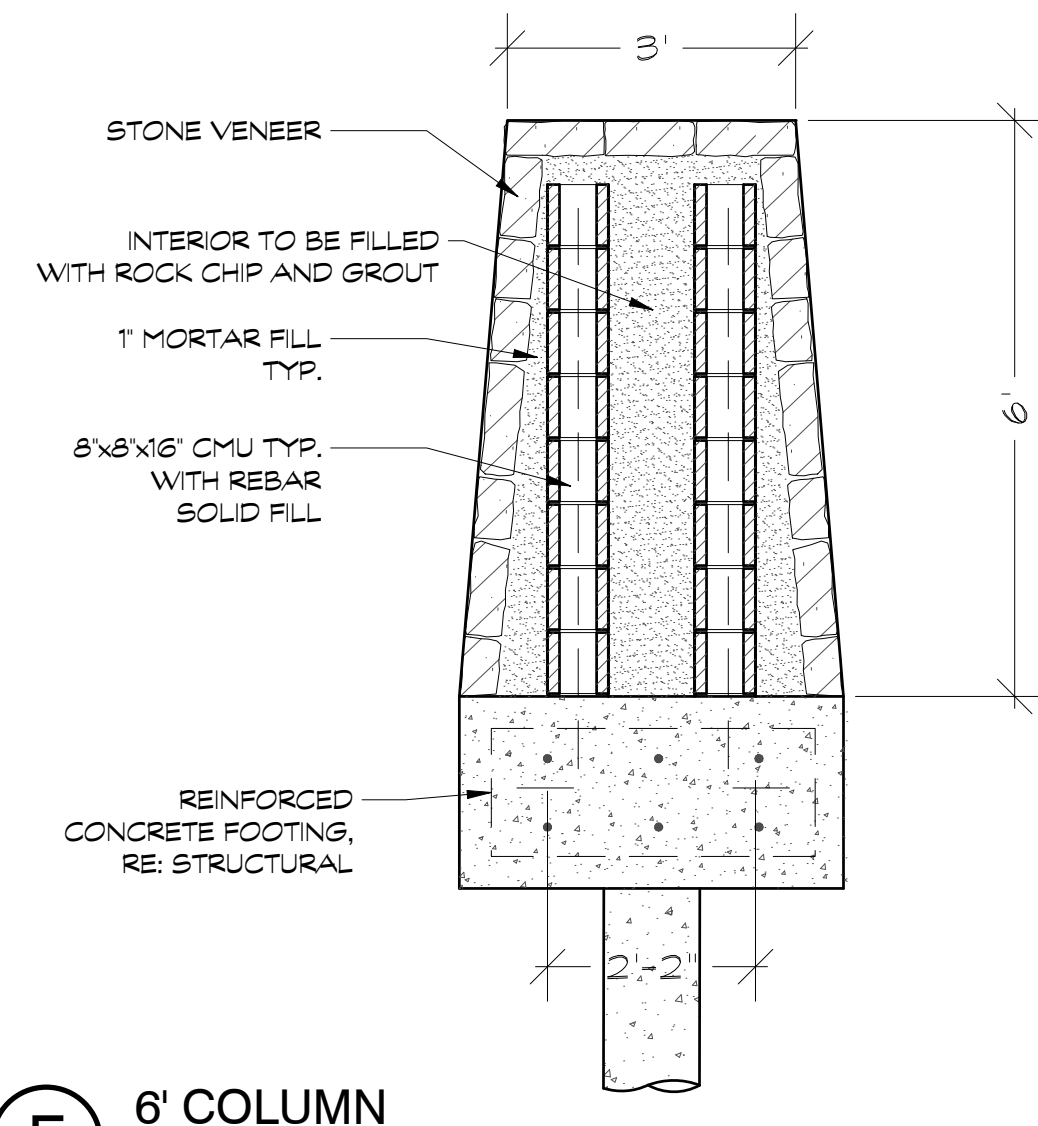
HARDSCAPE

L2.3

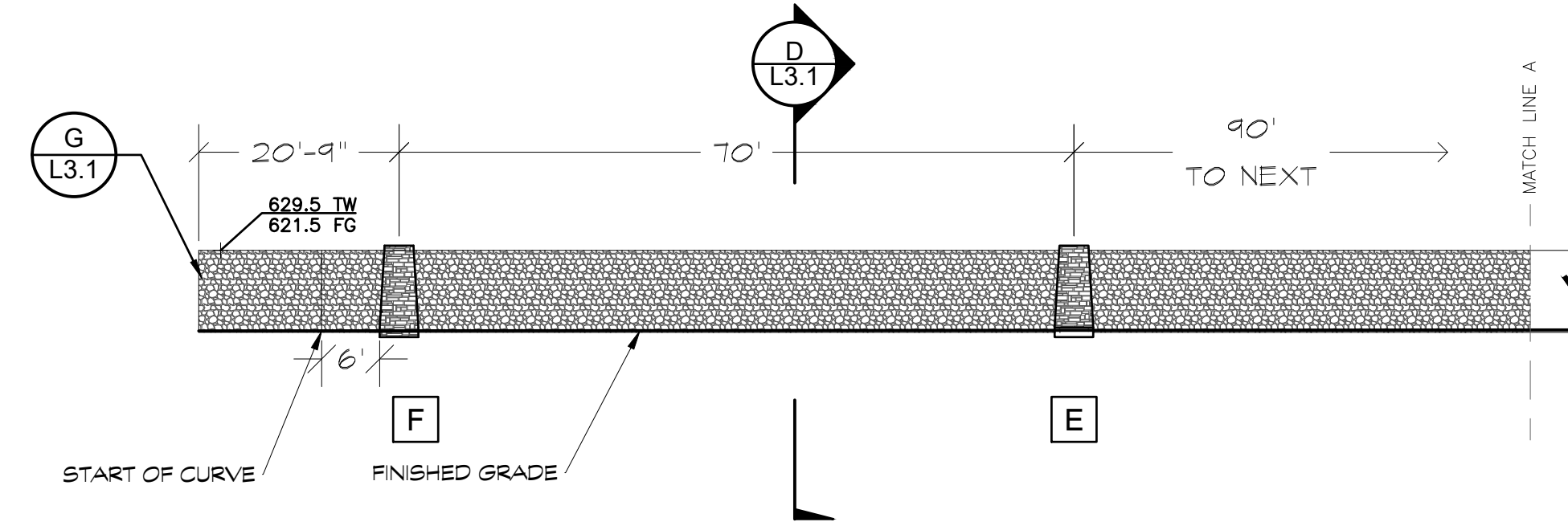
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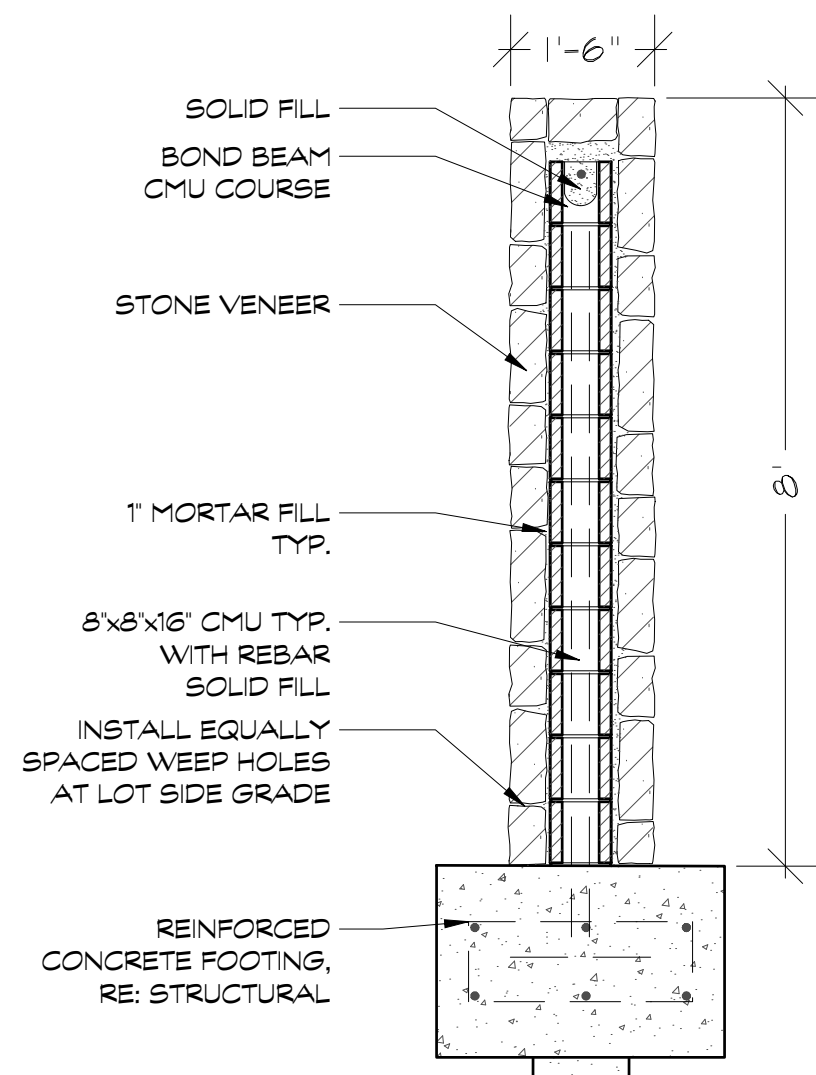
G 8' WALL COLUMN
1/2" = 1'-0"
P-CO-KN11-06



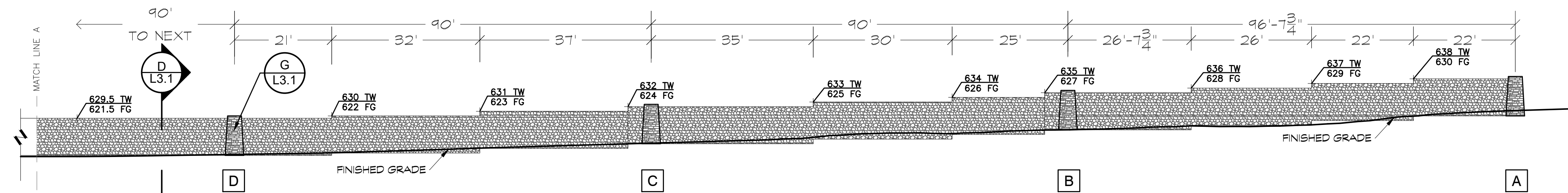
F 6' COLUMN
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P-CO-KN11-04



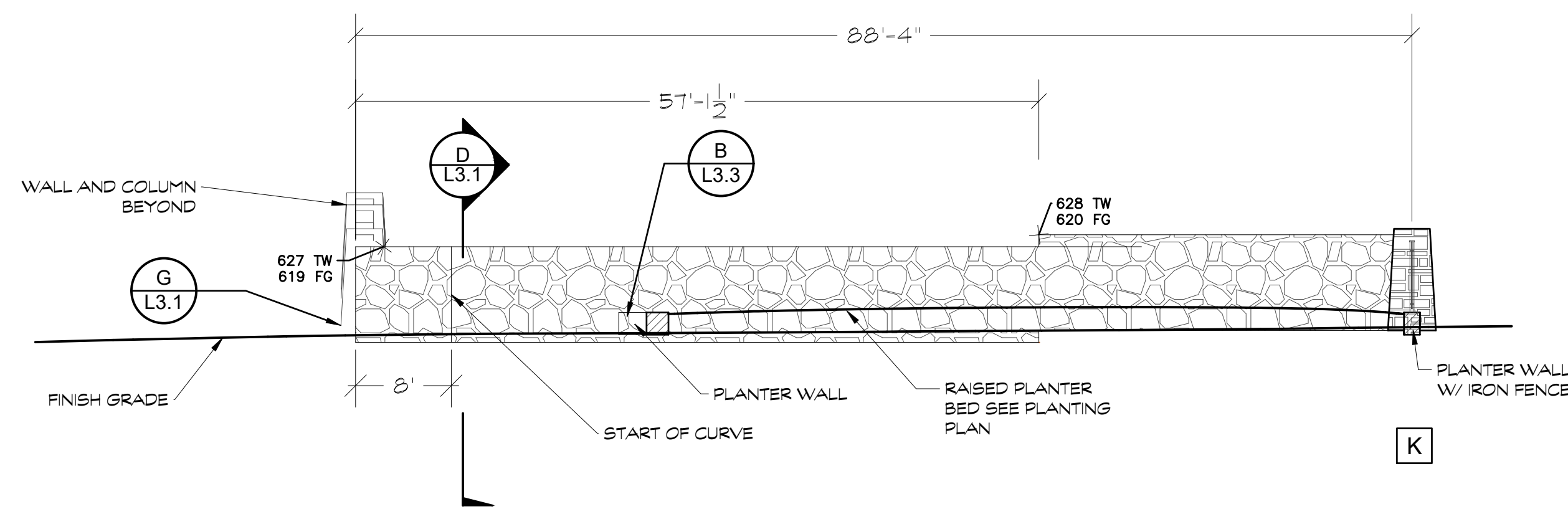
E ENTRY SCREEN WALL ELEVATION NORTH 2
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P-CO-KN11-14



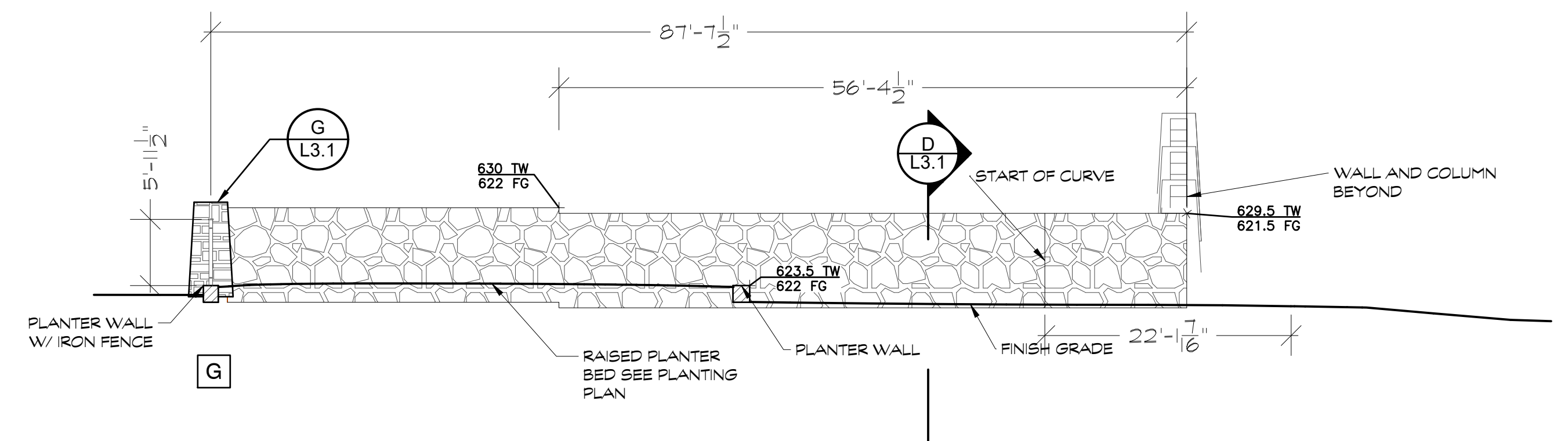
D 8' STONE SCREEN WALL
1/2" = 1'-0"
P-CO-KN11-05



C ENTRY SCREEN WALL ELEVATION NORTH 1
1/16" = 1'-0"
P-CO-KN11-15



B ENTRY FLANK WALL ELEVATION SOUTH
1" = 10'
P-CO-KN11-11



A ENTRY FLANK WALL ELEVATION NORTH
1" = 10'
P-CO-KN11-10

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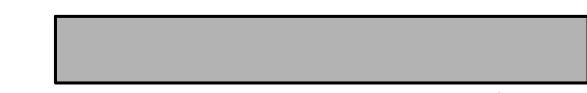
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Rev. Date	Remarks
X MM/DD/2025	Description

**HARDSCAPE
DETAILS**

L3.1



KNIGHT'S RIDGE

ARGYLE, TEXAS
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12/11/2025

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1/27/2026

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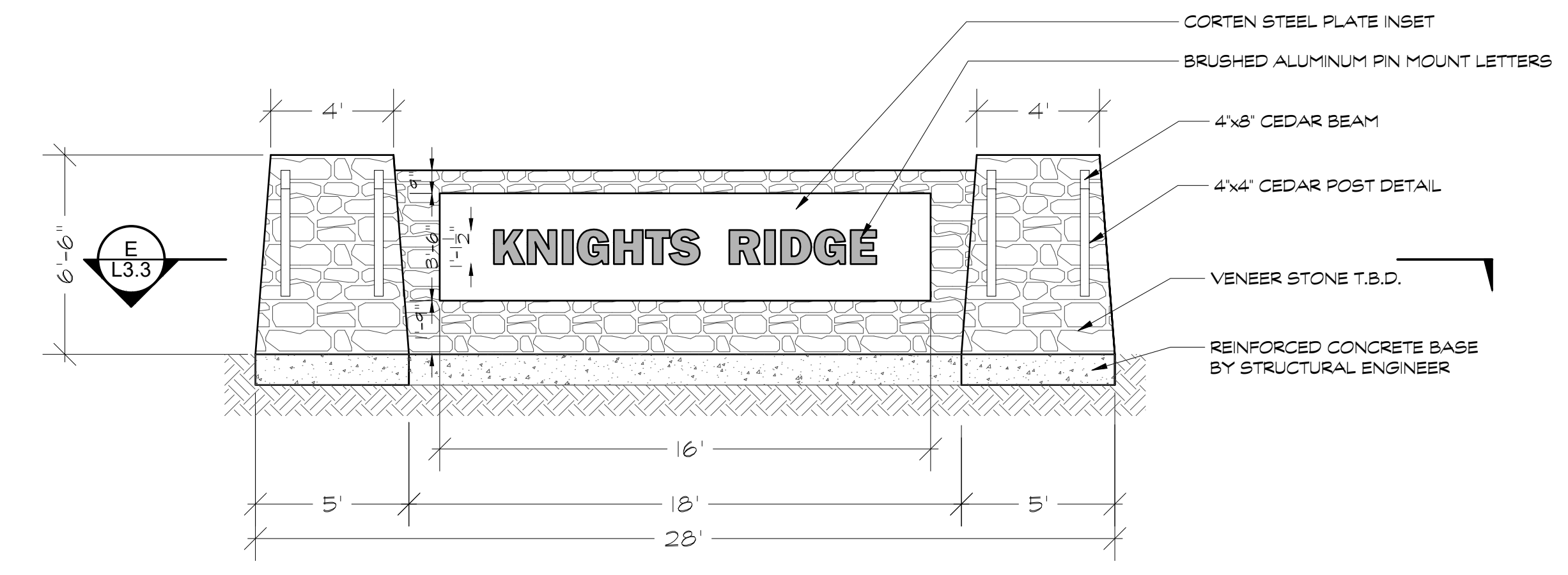
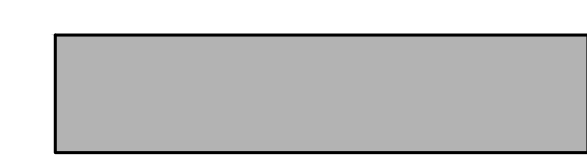


Rev. Date	Remarks
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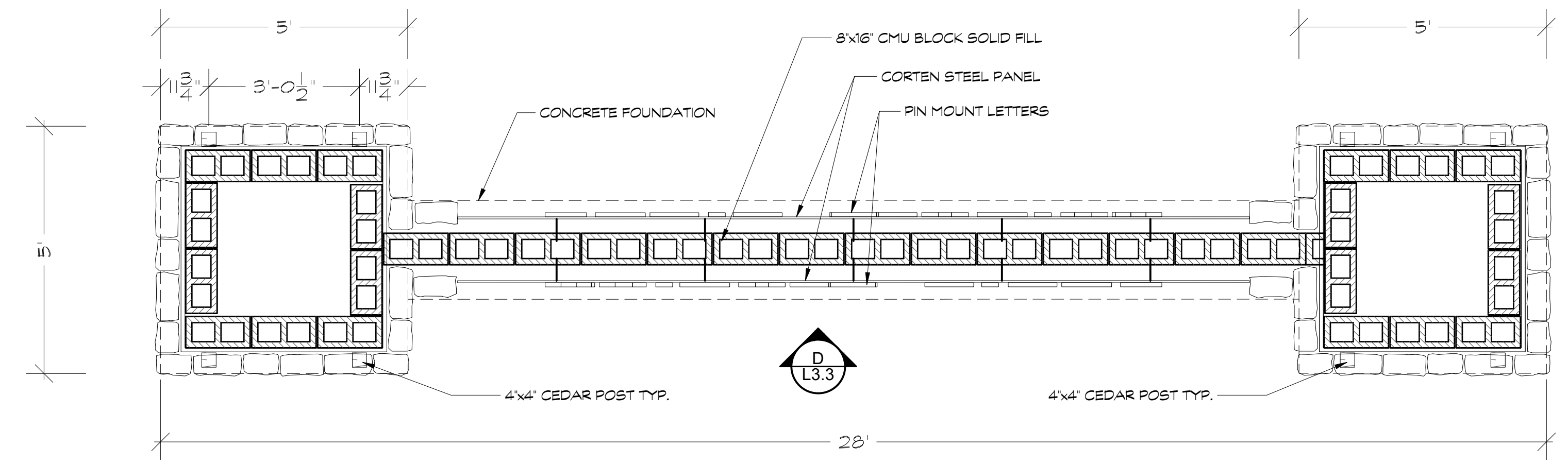
HARDSCAPE DETAILS

L3.2



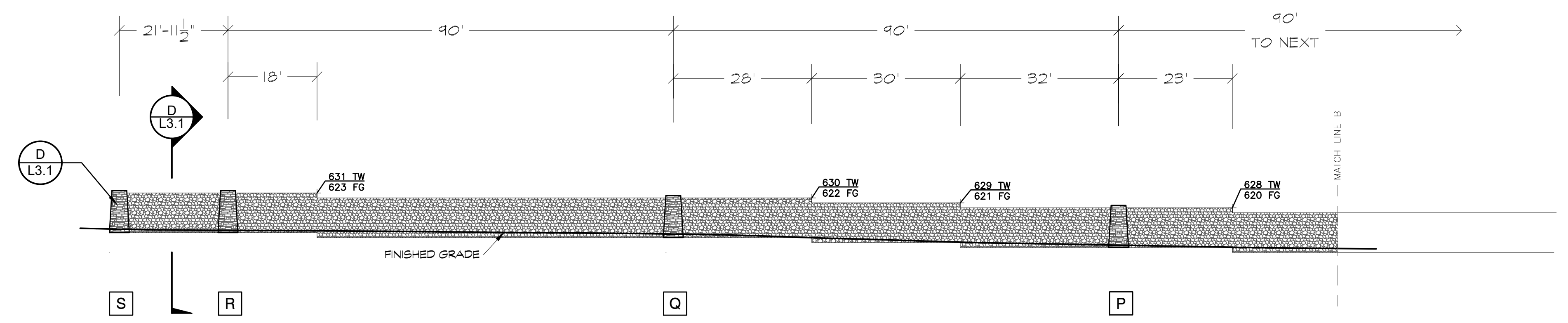
D SIGN ELEVATION
1/4" = 1'-0"

P-CO-KNI-02



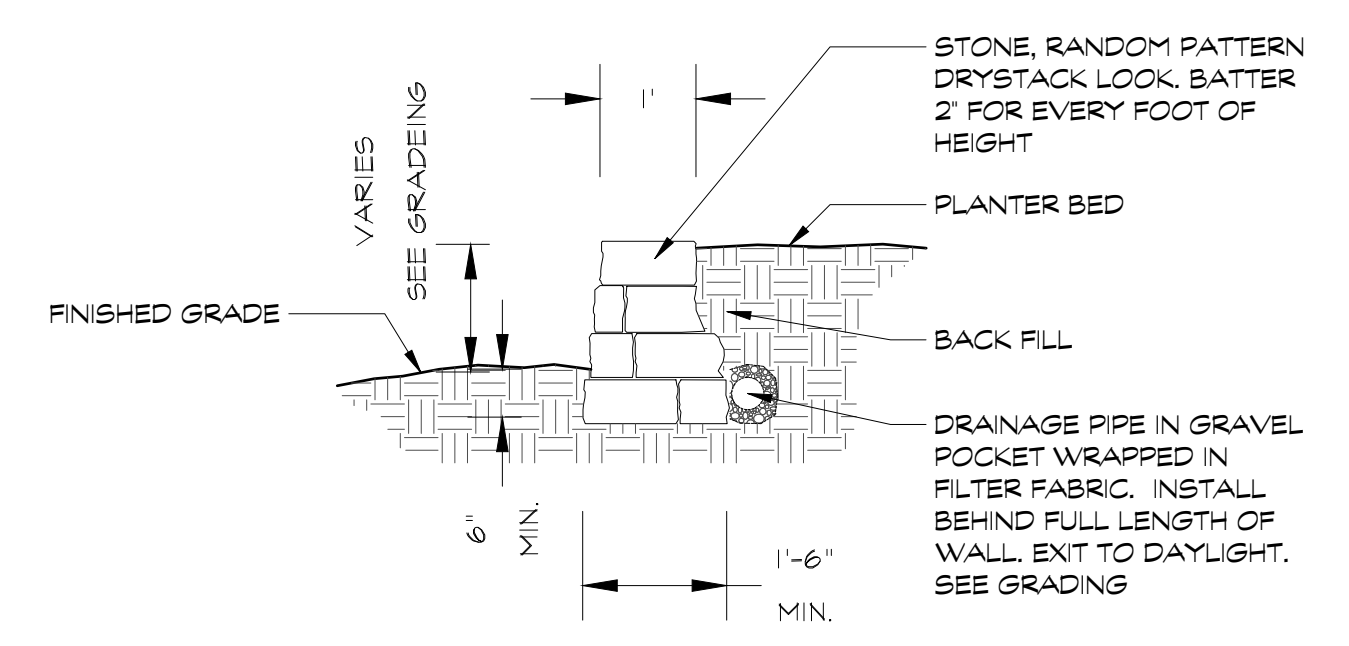
E CROSS SECTION OF ENTRY SIGN
1/2" = 1'-0"

P-CO-KNI-01



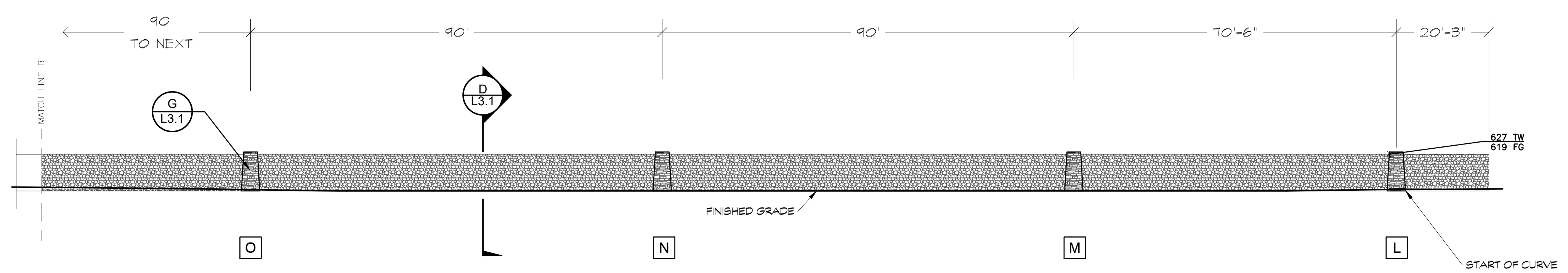
C ENTRY SCREEN WALL ELEVATION SOUTH 2
1/8" = 1'-0"

P-CO-KNI-12



B LANDSCAPE BED RETAINING WALL
1/2" = 1'-0"

P-CO-KNI-07

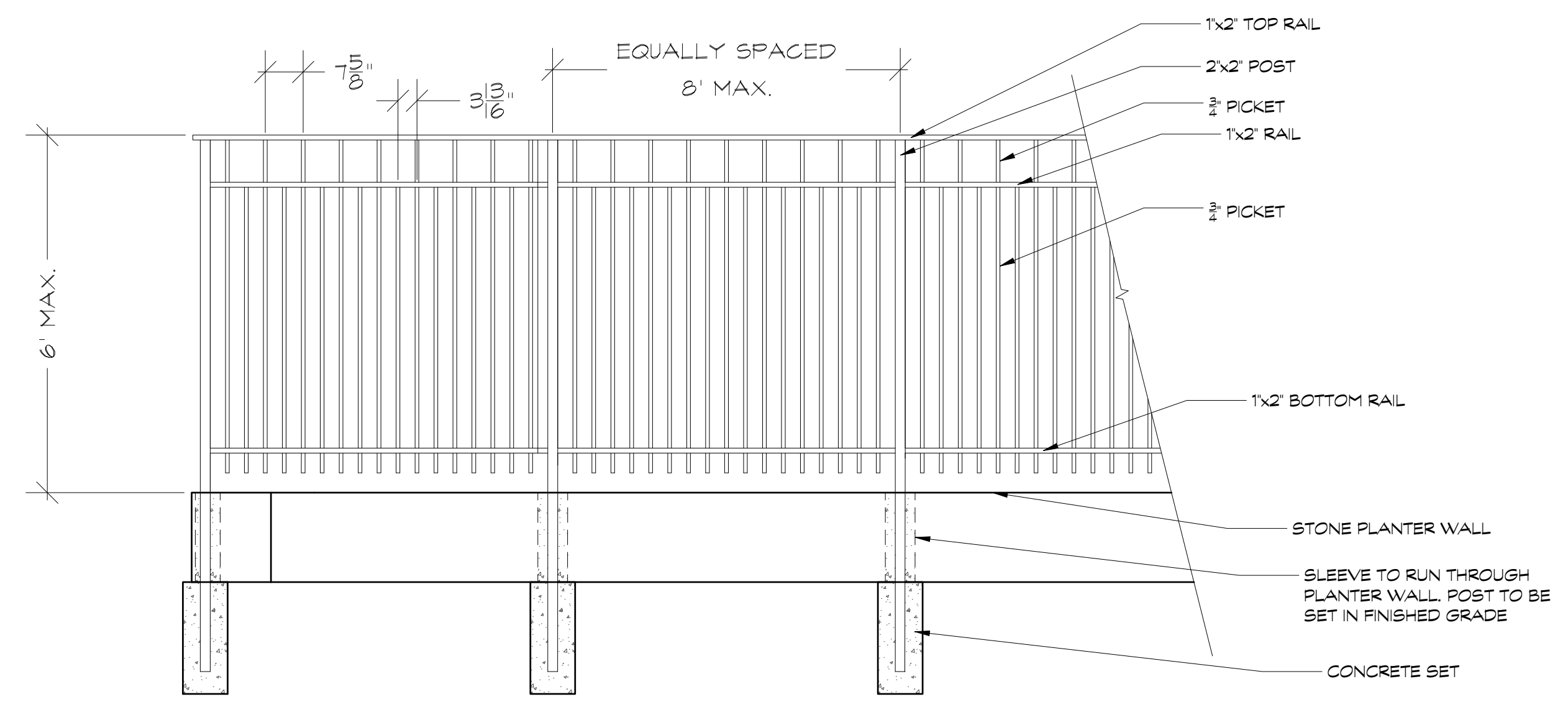


A ENTRY SCREEN WALL ELEVATION SOUTH 1
1/8" = 1'-0"

P-CO-KNI-13

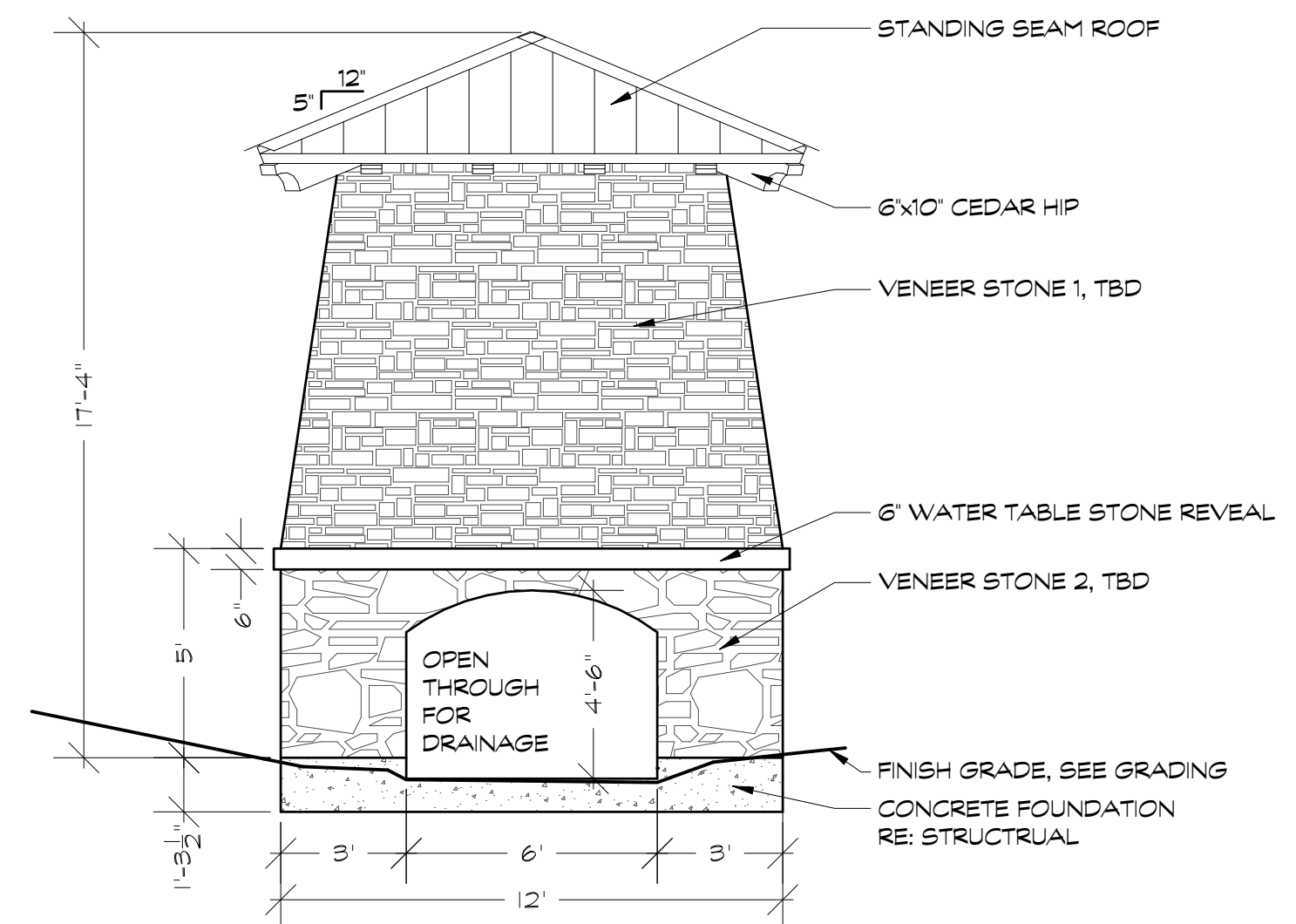
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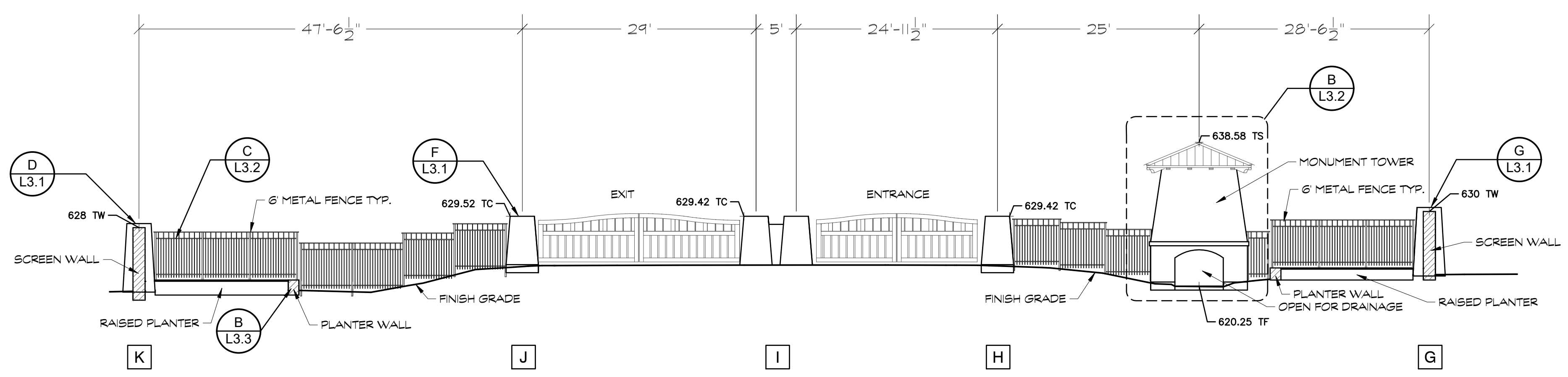
C STEEL FENCE ON PLANTER WALL
1/2" = 1'-0"

P-CO-KN11-08



B MONUMENT TOWER FRONT ELEVATION
1/4" = 1'-0"

P-CO-KN11-03



A DRIVE ENTRY ELEVATION
1" = 10'

P-CO-KN11-08

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HARDSCAPE DETAILS

L3.3

PLANT SCHEDULE

SYMBOL	QTY	COMMON / BOTANICAL NAME	CONT	CAL
MITIGATION TREES				
	9	BALD CYPRESS / TAXODIUM DISTICHUM	B E B	10' CAL
	21	BURR OAK / QUERCUS MACROCARPA	100 GAL	4' CAL
	16	CEDAR ELM / ULMUS CRASSIFOLIA	B E B	4' CAL
	13	CEDAR ELM / ULMUS CRASSIFOLIA	B E B	6' CAL
	4	CHINKAPIN OAK / QUERCUS MUEHLENBERGII	100 GAL	4' CAL
	18	SOUTHERN LIVE OAK / QUERCUS VIRGINIANA	100 GAL	4' CAL
	4	SOUTHERN LIVE OAK / QUERCUS VIRGINIANA	B E B	10' CAL
ORNAMENTAL / UNDERSTORY				
	3	YAUPOH HOLLY / ILEX VOMITORIA	45 GAL	
SHRUBS				
	172	ABELIA, CANYON CREEK / ABELIA X GRANDIFLORA 'CANYON CREEK'	5 GAL	
	60	AMERICAN BEAUTYBERRY / CALLICARPA AMERICANA	5 GAL	
	30	CHINESE INDIGO / INDIGOPERA DECORA	5 GAL	
	63	DWARF BURFORD HOLLY / ILEX CORNUTA DWARF BURFORD	7 GAL	
	20	DWARF SOUTHERN WAX MYRTLE / MYRICA PUBILLA	5 GAL	
	10	GREEN CLOUD TEXAS SAGE / LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD'	5 GAL	
	6	PALE-LEAF YUCCA / YUCCA PALLIDA	5 GAL	
	66	PARSONI JUNIPER / JUNIPERUS CHINENSIS 'PARSONI'	5 GAL	
	45	TURK'S CAP / MALVAVISCIUS DRUMMONDII	1 GAL	
ANNUALS/PERENNIALS				
	225	NEW GOLD LANTANA / LANTANA X 'NEW GOLD'	1 GAL	
GRASSES				
	36	BLUE ARROWS JUNCUS / JUNCUS INFLEXUS 'BLUE ARROWS'	5 GAL	
	184	HAMELN DWARF FOUNTAIN GRASS / PENNISETUM ALOPECUROIDES 'HAMELN'	3 GAL	
SHRUB AREAS				
	242	BERKELEY SEDGE / CAREX DIVULSA	1 GAL	18" o.c.
	111	PURPLE-LEAF WINTERCREEPER / EUONYMUS FORTUNEI 'COLORATUS'	1 GAL	18" o.c.
	71	ROSEMARY / ROSMARINUS OFFICINALIS	1 GAL	18" o.c.
GROUND COVERS				
	43,702 SF	#19 HYBRID BERMUDAGRASS / CYNODON DACTYLON #19 HYBRID	SOD	
	111,538 SF	BERMUDAGRASS-HYDRO-MULCH / CYNODON DACTYLON	HYDRO-MULCH	

GENERAL NOTES

1. WARNING!!!!!! CALL BEFORE YOU DIG!!!! TOLL FREE 800-892-0123
2. WRITTEN DIMENSIONS PREVAIL OVER SCALED DIMENSIONS. NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES.
3. THE CONTRACTOR BEARS ALL RESPONSIBILITY FOR VERIFYING ALL UNDERGROUND UTILITIES, PIPES, STRUCTURES, AND LINE RUNS IN THE FIELD PRIOR TO CONSTRUCTION. ANY DAMAGE TO UTILITIES THAT ARE TO REMAIN SHALL BE REPAIRED IMMEDIATELY AT NO EXPENSE TO THE OWNER. LANDSCAPE ARCHITECT ASSUMES NO RESPONSIBILITY FOR ANY NOT SHOWN ON PLANS.
4. THE LOCATIONS OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE APPROXIMATE. THERE MAY BE OTHER UNDERGROUND UTILITIES WITHIN THE PROJECT AREA THAT ARE NOT SHOWN.
5. ALL PROPOSED AND FINISHED GRADES ARE BASED ON INFORMATION PROVIDED BY THE OWNER'S SURVEY AND/OR CIVIL ENGINEER. ANY DISCREPANCIES IN ACTUAL FIELD MEASUREMENTS ARE TO BE REPORTED TO THE LANDSCAPE ARCHITECT IMMEDIATELY.
6. PRIOR TO COMMENCEMENT OF HARDSCAPE CONSTRUCTION, ALL PIERS, FOOTINGS, AND WALLS ARE TO BE SURVEYED, LAID OUT, AND STAKED IN FIELD FOR REVIEW BY LANDSCAPE ARCHITECT. CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ANY DEMOLITION, ADJUSTMENTS, OR RECONSTRUCTION RESULTING FROM INCORRECT LAYOUT.
7. CONTRACTOR IS RESPONSIBLE FOR ALL QUANTITIES PER DRAWINGS AND SPECIFICATIONS. ANY QUANTITIES PROVIDED BY LANDSCAPE ARCHITECT ARE PROVIDED FOR CONVENIENCE ONLY. CONTRACTORS ARE TO BID THEIR OWN VERIFIED QUANTITIES. NOTIFY LANDSCAPE ARCHITECT AT ANY DISCREPANCIES.
8. EASEMENT SETBACKS, BUILDING, CURB AND GUTTER, UNDERGROUND UTILITIES HAVE BEEN SUPPLIED TO LANDSCAPE ARCHITECT BY THE PROJECT CIVIL ENGINEER. REFER TO CIVIL ENGINEER'S DRAWINGS FOR ADDITIONAL INFORMATION.
9. YTL, INC. ASSUMES NO RESPONSIBILITY FOR DAMAGES, LIABILITIES, OR COST RESULTING FROM CHANGES OR ALTERATIONS MADE TO THE PLAN WITHOUT THE EXPRESS WRITTEN CONSENT OF YTL, INC.

TREE PROTECTION NOTES

1. PRIOR TO COMMENCEMENT OF HARDSCAPE CONSTRUCTION, CONTRACTOR MUST HAVE A LICENSED ARBORIST REVIEW ALL CONDITIONS WHERE EXISTING TREES ARE SUBJECT TO DAMAGE DURING CONSTRUCTION.
2. PROTECT EXISTING TREES AND PLANTS AT SITE THAT ARE DESIGNATED TO REMAIN WHERE INDICATED ON DRAWINGS AND AT OTHER LOCATIONS WHERE TREES ARE SUBJECT TO DAMAGE DURING CONSTRUCTION.
3. PROVIDE FENCE BARRIERS TO HEIGHT OF 4 FEET AROUND INDIVIDUAL AND/OR GROUPS OF TREES AND PLANTS AS SHOWN ON PLANS.
4. POST "KEEP OUT" SIGNS ON TREE PROTECTION ZONE (TPZ) FENCING.
5. SUPERVISE EARTHWORK OPERATIONS TO PREVENT DAMAGE TO CRITICAL ROOT ZONES.
6. ASSIGN A MONITOR TO MAINTAIN TPZ FENCING AND TO KEEP IN GOOD CONDITION FOR DURATION OF CONSTRUCTION.
7. PROTECT ROOT SYSTEM FROM DAMAGE CAUSED BY RUNOFF OR SPILLAGE OF NOXIOUS MATERIAL WHILE MIXING, PLACING, OR STORING CONSTRUCTION MATERIALS.
8. MINIMIZE ALL TRENCHING FOR NEW UNDERGROUND UTILITIES IN AREAS WITH EXISTING TREES.
9. PROTECT ROOT SYSTEM FROM PONDING, ERODING, OR EXCESSIVE WETTING CAUSED BY WATERING OPERATIONS.
10. DO NOT STORE CONSTRUCTION MATERIALS, DEBRIS, OR EXCAVATED MATERIAL INSIDE TPZ.
11. DO NOT PERMIT VEHICLES OR FOOT TRAFFIC WITHIN TREE PROTECTION ZONES; PREVENT SOIL COMPACTION OVER ROOT SYSTEM.
12. MAINTAIN TPZ FREE OF WEEDS AND TRASH.
13. MULCH AREAS INSIDE TPZ WITH 4" THICK LAYER OF ORGANIC MULCH. DO NOT PLACE MULCH WITHIN 6" OF TRUNK OF TREE.
14. DO NOT EXCAVATE WITHIN TPZ, UNLESS OTHERWISE INDICATED OR APPROVED. TREE SHALL BE ROOT PRUNED 1' OUTSIDE LIMIT OF REQUIRED EXCAVATION.
15. WHERE EXCAVATION FOR NEW CONSTRUCTION IS REQUIRED WITHIN THE TPZ AND IS APPROVED, HAND PRUNE OR UTILIZE APPROVED ROOT PRUNING TECHNIQUES PRIOR TO USE OF EXCAVATION EQUIPMENT.
16. DO NOT ALLOW EXPOSED ROOTS TO DRY OUT BEFORE PLACING PERMANENT BACKFILL. PROVIDE TEMPORARY EARTH COVER OR PACK ORGANIC MATERIAL AND WRAP WITH BURLAP. WATER AND MAINTAIN IN MOIST CONDITION. TEMPORARILY SUPPORT AND PROTECT ROOTS FROM DAMAGE UNTIL THEY ARE PERMANENTLY COVERED WITH SOIL.
17. ROOT PRUNING SHALL BE DONE BY HAND WITH SHARP TOOLS OR IF DONE MECHANICALLY, SHALL BE DONE WITH ROOT PRUNING MACHINERY, VIBRATORY PLOW, OR WITH A NARROW TRENCHER WITH SHARP BLADES. ONCE A TRENCH IS OPENED UP, ALL EXPOSED ROOTS WILL BE HAND PRUNED TO PROVIDE CLEAN-CUT ENDS.
18. DO NOT BREAK OR PULL ROOTS WITH A BACKHOE OR SIMILAR EQUIPMENT.

CONCRETE NOTES

1. CAST-IN PLACE CONCRETE SHALL MEET THE FOLLOWING REQUIREMENT.
 - 1.1. MINIMUM 3,000 PSI COMPRESSIVE STRENGTH AT 28 DAYS
 - 1.2. AGGREGATES: ASTM C-33, MAXIMUM 3/4" IN SIZE
 - 1.3. SLUMP: 3 TO 5 INCHES
 - 1.4. AIR CONTENT: 4 TO 6 PERCENT BY VOLUME
2. CONCRETE THICKNESS
 - 2.1. PEDESTRIAN AREAS = 4" THICK
 - 2.2. VEHICULAR AREAS = 6" THICK
3. CONCRETE REINFORCING
 - 3.1. REFER DETAILS
4. SAW CUT JOINTS TO BE PLACED AS INDICATED ON PLANS TO A MINIMUM 1/2" DEPTH. REFER TO LAYOUT PLANS FOR EXACT LOCATIONS.
5. EXPANSION JOINTS
 - 5.1. REFER DETAILS
 - 5.2. PLACE AT MAXIMUM OF 20' O.C. AND COORDINATE WITH OVERALL PAVING PATTERN AND SAW JOINTS
 - 5.3. REFER TO LAYOUT PLANS FOR EXACT LOCATIONS

TREE MITIGATION REQUIREMENTS			
TREE Requirements per MMA Engineering			
Requirement	Caliper inches	Req'd	Provided
Protected Multi-trunk to be removed	109.5	109.5+126=23.5 required w/ 4" cal. in. trees, (59), 4" trees required	59, 4" trees
Protected 6"-12" to be removed	126		
Protected 13"-19" to be removed	73	6" cal. Min. replacement tree size, (13), 6" trees required	13, 6" trees
Protected Majestic trees, 20" and greater to be removed	128.5	10" cal. Min. replacement tree size, (13), 10" trees required	13, 10" trees

PLANTING NOTES

1. CONTRACTOR SHALL STAKE OUT ALL TREE LOCATIONS IN FIELD FOR REVIEW BY THE LANDSCAPE ARCHITECT. PRIOR TO PLANTING, LANDSCAPE ARCHITECT RESERVES THE RIGHT TO ADJUST PLANTS TO EXACT LOCATION IN FIELD.
2. PLANTING BEDS SHALL BE STAKED FOR REVIEW BY LANDSCAPE ARCHITECT PRIOR TO EXCAVATION AND BED PREP.
3. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UNDERGROUND UTILITIES, PIPES, STRUCTURES, AND LINE RUNS IN THE FIELD PRIOR TO THE INSTALLATION OF ANY PLANT MATERIAL.
4. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ADVISE THE LANDSCAPE ARCHITECT OF ANY CONDITION FOUND ON THE SITE WHICH PROHIBITS INSTALLATION AS SHOWN ON THESE DRAWINGS.
5. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AND MUST BE REPLACED WITH PLANT MATERIAL OF SAME VARIETY AND SIZE IF DAMAGED, DESTROYED, OR REMOVED.
6. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR FINE GRADING AND REMOVAL OF DEBRIS PRIOR TO PLANTING IN ALL AREAS.
7. FINAL FINISH GRADING SHALL BE REVIEWED BY THE LANDSCAPE ARCHITECT. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY ADDITIONAL TOPSOIL REQUIRED TO CREATE A SMOOTH CONDITION PRIOR TO PLANTING.
8. ALL PLANT QUANTITIES LISTED ARE FOR INFORMATION ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE FULL COVERAGE IN ALL PLANTING AREAS AS SPECIFIED IN THE PLANT SCHEDULE AND VERIFY ALL QUANTITIES.
9. REFER TO PLANS FOR STEEL EDGING LAYOUT/LOCATIONS.
10. ALL PLANT MATERIAL SHALL CONFORM TO THE SPECIFICATIONS AND SIZES GIVEN IN THE PLANT LIST AND SHALL BE NURSERY GROWN IN ACCORDANCE WITH THE AMERICAN STANDARD FOR NURSERY STOCK, LATEST EDITION AMERICAN ASSOCIATION OF NURSERMEN STANDARDS. ANY PLANT SUBSTITUTION SHALL BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO PURCHASE.
11. CONTRACTOR IS REQUIRED TO PERFORM A PERCOLATION TEST FOR EACH TREE PIT PRIOR TO INSTALLATION. IF DRAINAGE DOES NOT OCCUR WITHIN 24 HOURS, THE CONTRACTOR WILL BE REQUIRED TO PROVIDE A GRAVEL, SAND, FILTER FABRIC, AND STAND PIPE. ALL SHIMS SHOULD BE INCLUDED IN THE BASE BID AND PROVIDED AS A DEDUCT ALTERNATE IF NOT REQUIRED AFTER THE PERCOLATION TEST IS PERFORMED.
12. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ANY COORDINATION WITH OTHER CONTRACTORS ON SITE AS REQUIRED TO ACCOMPLISH ALL PLANTING OPERATIONS.
13. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE PROVIDED FOR ALL PLANTING AREAS. OVER SPRAY ON STREETS AND WALKS IS PROHIBITED.

LIGHTING NOTES

1. ALL LIGHTING SYMBOLS ARE SHOWN FOR COORDINATION AND REFERENCE ONLY. REFER TO SHEETS L6.01 & L6.02 FOR FIXTURE TYPES. REFER TO THE MANUFACTURER'S SPECIFICATIONS FOR INSTALLATION DETAILS.

SYMBOLS / LEGEND

GENERAL	ABBREVIATIONS
	AD = AREA DRAIN
	BS = BOTTOM OF STEP
	BW = BOTTOM OF WALL
	CB = CATCH BASIN
	CJ = CONTROL JOINT
	CL = CENTER LINE
	EJ = EXPANSION JOINT
	HP = HIGH POINT
	LP = LOW POINT
	POB = POINT OF BEGINNING
	TO = TOP OF CURB
	TF = TOP OF FOOTING
	TR = TREE (EXISTING)
	TS = TOP OF STEP
	TW = TOP OF WALL
	PA = PLANTED AREA
	EO = EQUAL DISTANCE
	O.C. = ON CENTER

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Landscape Services

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Westlake, Texas 76262
Office: 817.421.6646

KNIGHT'S RIDGE

ARGYLE, TEXAS
DENTON COUNTY

CANNA CAPITAL SERIES 13 LLC

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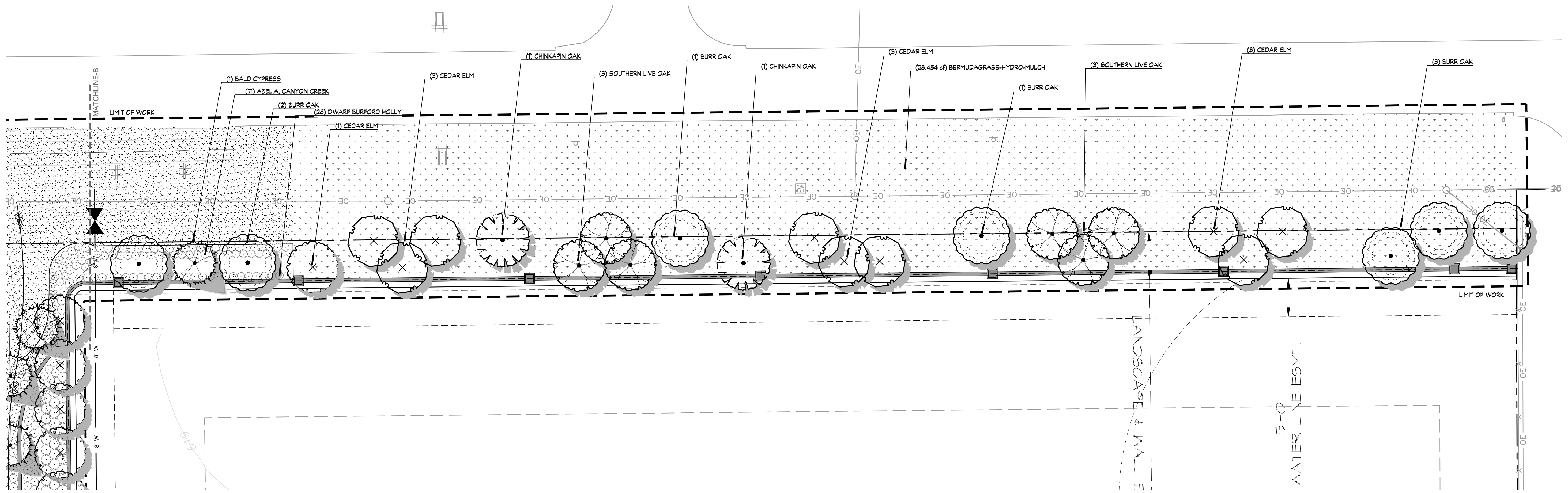
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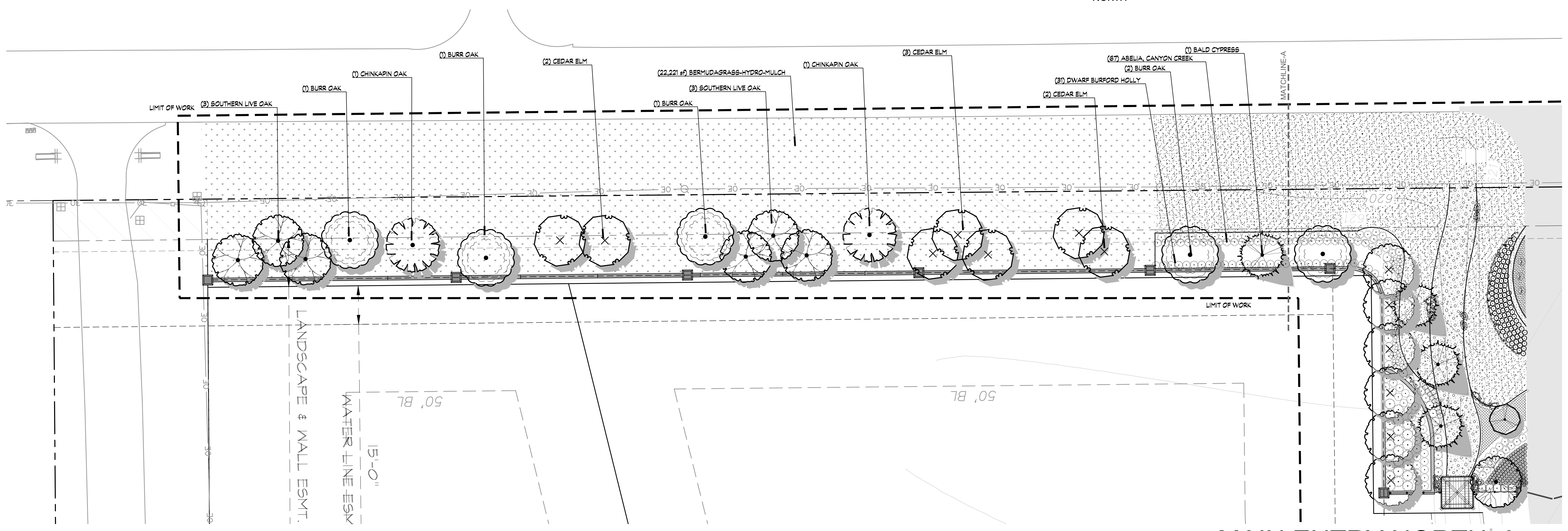
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LANDSCAPE

L5.0



MAIN ENTRY SOUTH B
Scale: 1" = 20' L5.1



MAIN ENTRY NORTH A
Scale: 1" = 20' L5.1

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LANDSCAPE

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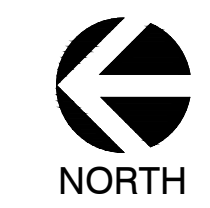
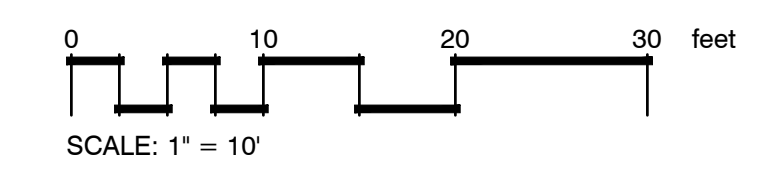
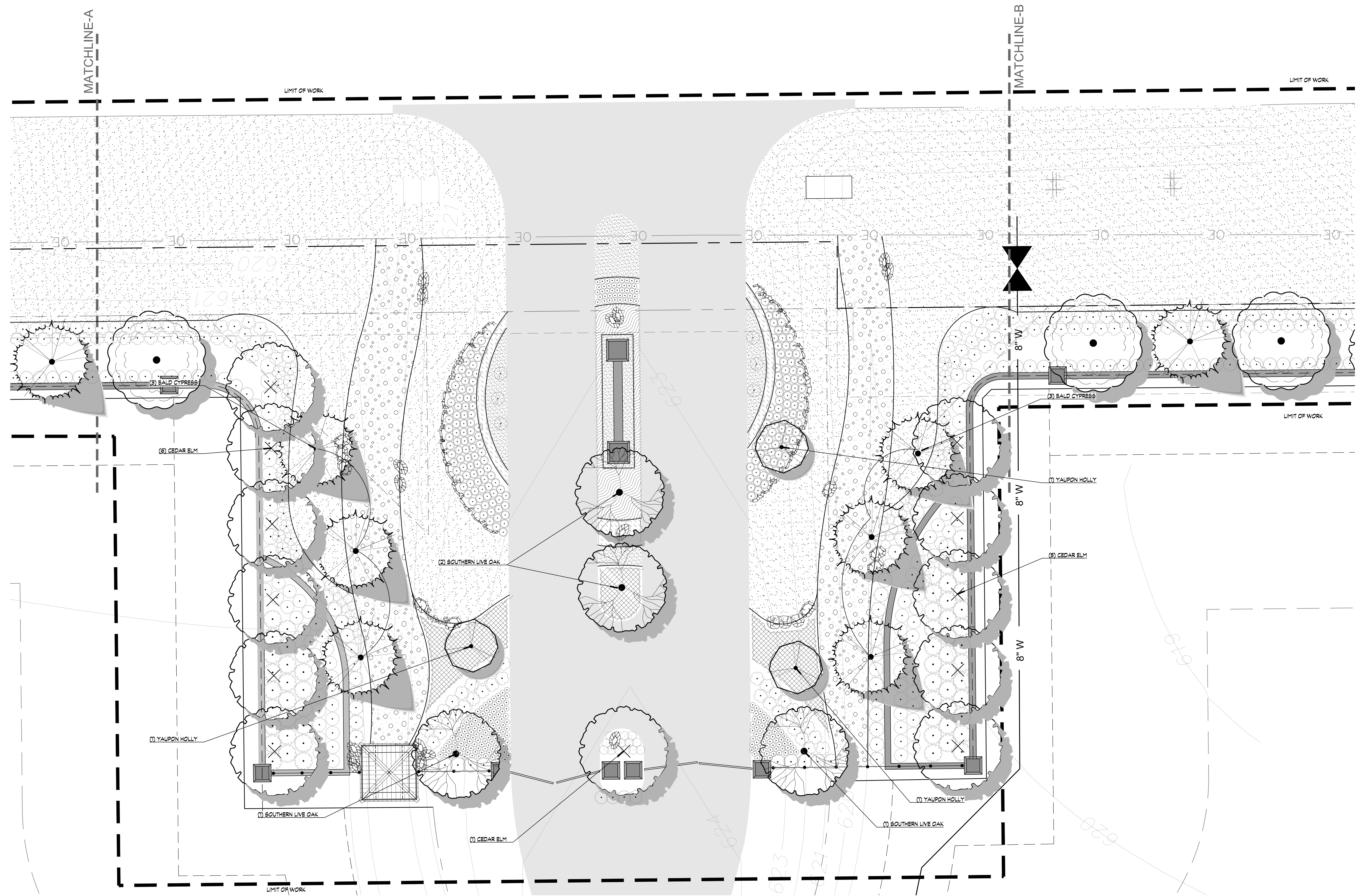
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LANDSCAPE

L5.2



MAIN ENTRY TREES | A

Scale: 1" = 10' | L5.2

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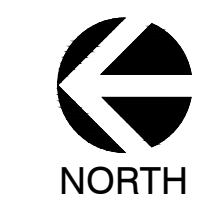
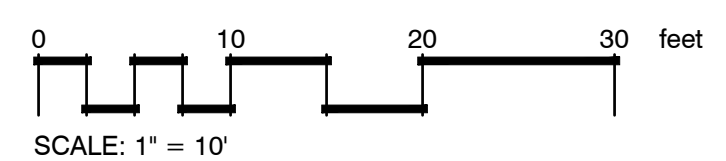
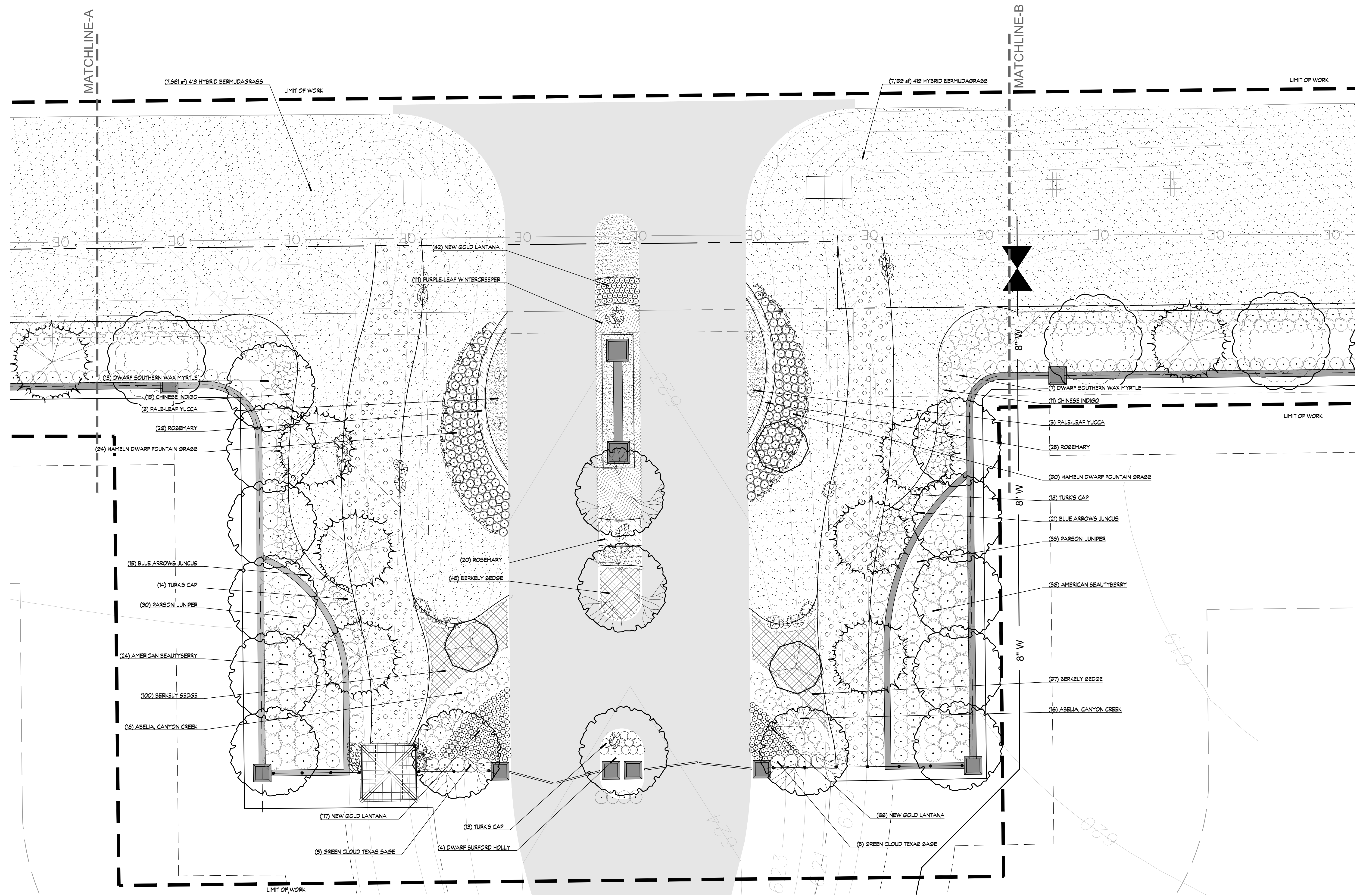
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LANDSCAPE

L5.3



MAIN ENTRY SHRUBS AND GC A

Scale: 1" = 10' L5.3

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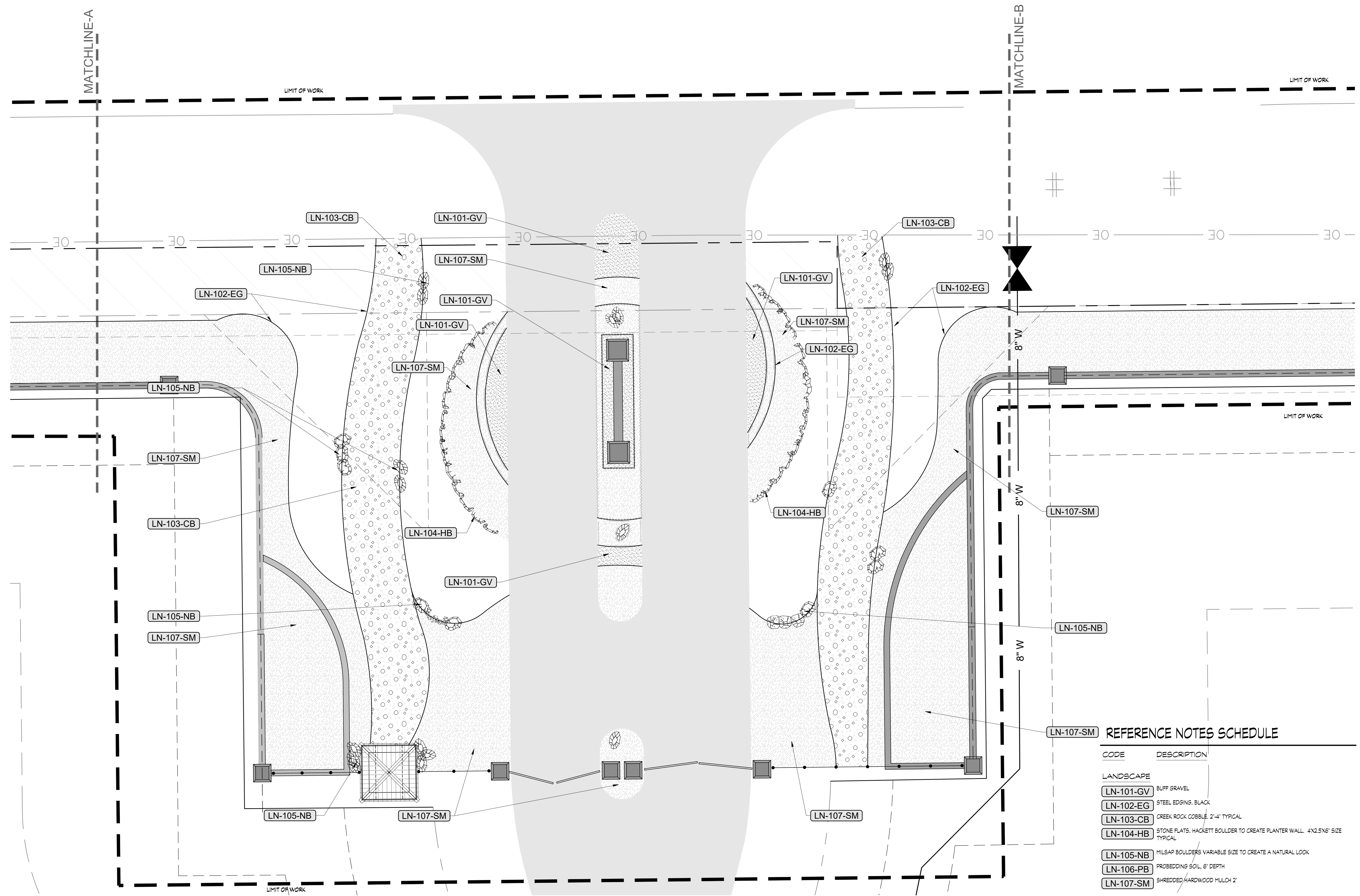
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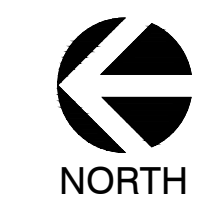
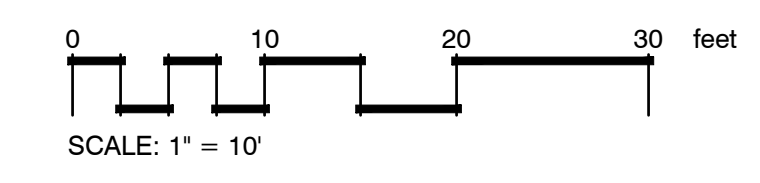
LANDSCAPE

L5.4



REFERENCE NOTES SCHEDULE

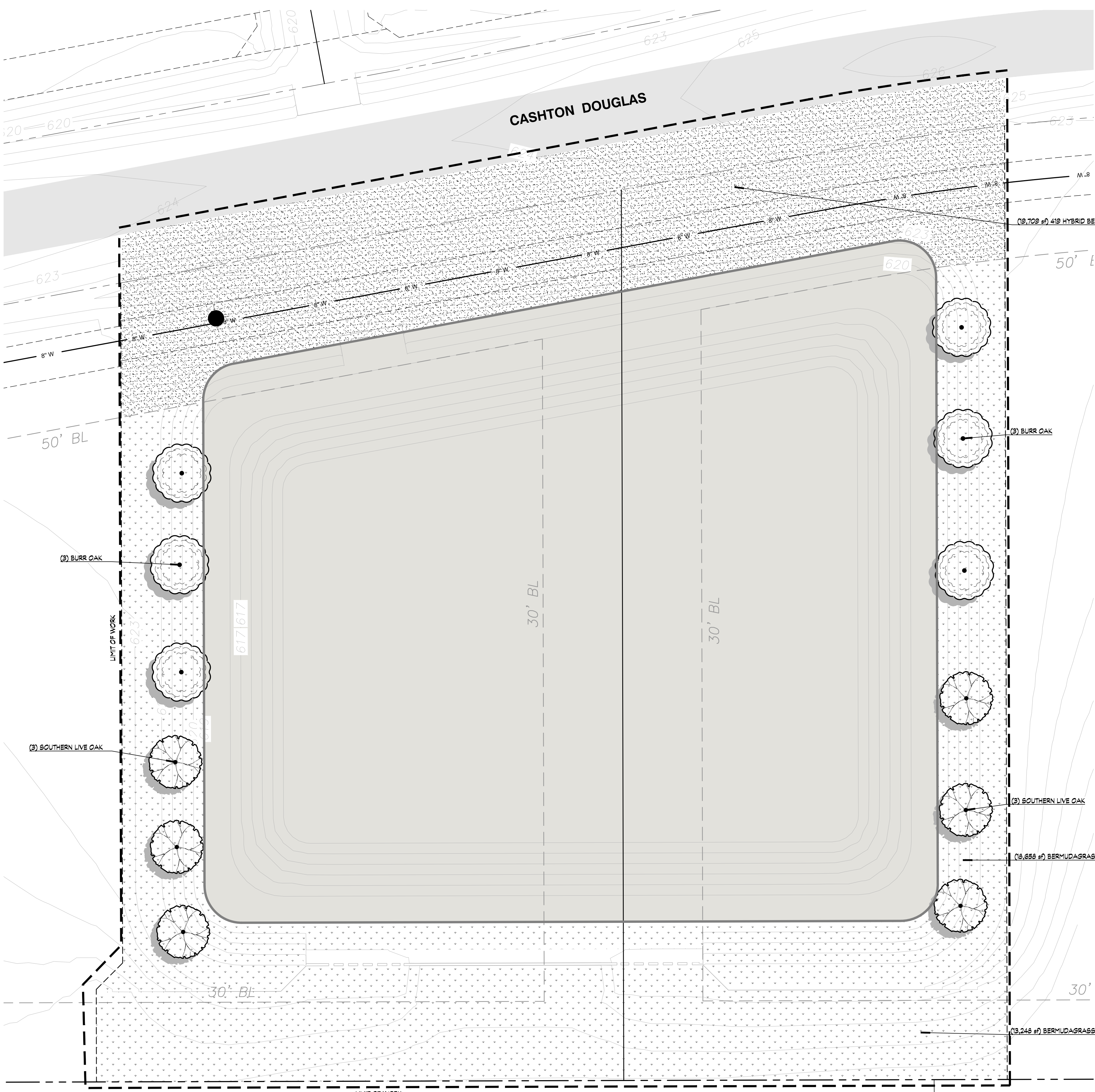
CODE	DESCRIPTION
LANDSCAPE	
LN-101-GV	BUFF GRAVEL
LN-102-EG	STEEL EDGING, BLACK
LN-103-CB	CREEK ROCK COBBLE, 2'-4" TYPICAL
LN-104-HB	STONE FLATS, HACKETT BOULDER TO CREATE PLANTER WALL, 4X12.5X6" SIZE TYPICAL
LN-105-NB	MILSAP BOULDERS VARIABLE SIZE TO CREATE A NATURAL LOOK
LN-106-PB	PROBEDDING SOIL, 6" DEPTH
LN-107-SM	SHREDDED HARDWOOD MULCH 2"



MAIN ENTRY MATERIALS | A

Scale: 1" = 10' | L5.4

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PLANNING AND ZONING COMMISSION STAFF REPORT

Meeting

Date: April 1, 2026

To: Chairman and Members of the Planning and Zoning Commission

From: Harrison Wicks, Director of Community Development

Subject: Action - Amendments to Section 8.02.003 Noise of Code of Ordinances

Purpose:

Consider and make a recommendation to Town Council on an ordinance amendment (TDS-26-004) to Article 8.02, Nuisances, of the Town of Argyle Code of Ordinances regarding amendments to Section 8.02.003 Noise and other related provisions in the Code of Ordinances.

Background:

Town Council requested consideration of amendments to the Code of Ordinances noise standards in order to better protect residents from harmful noise that pose a nuisance.

Development Review Analysis:

Town staff conducted a comparative review of municipal noise ordinances among the communities in Denton County—including Argyle, Justin, Trophy Club, Westlake, Highland Village, Flower Mound, and Lewisville.

The review evaluates regulatory approaches to common sources of noise, including animal noise (e.g., barking dogs), amplified sound from radios or music devices, engines and mechanical equipment, human noise such as shouting or yelling, and construction or machinery noise.

The comparison also examines typical regulatory factors such as daytime and nighttime noise hours, whether decibel limits are specified, how noise is measured (e.g., property line or audible disturbance standards), construction and equipment operating time restrictions, exemptions for emergency or municipal activities, enforcement authority, and potential penalties for violations.

The comparison indicates that most smaller municipalities in Denton County—including Argyle, Justin, Trophy Club, Westlake, and Highland Village—primarily regulate noise through general nuisance standards, which prohibit sound that disturbs the peace or comfort of nearby residents.

These ordinances typically rely on complaint-based enforcement and officer discretion rather than specific decibel thresholds. Common prohibited noise sources identified in these ordinances include persistent animal noise, loud radios or amplified music, excessive engine or machinery noise, and disruptive human behavior such as shouting.

In contrast, larger municipalities such as Flower Mound and Lewisville implement more technical noise control standards, including defined decibel limits, property-line measurement requirements, and specific daytime and nighttime thresholds.

For example, Flower Mound regulates residential noise at approximately 62 dB during daytime hours (7:00 a.m. – 10:00 p.m.) and 52 dB during nighttime hours (10:00 p.m. – 7:00 a.m.), while Lewisville uses a similar decibel-based structure with limits of approximately 65 dB during the day and 55 dB at night.

Across all cities reviewed, construction and mechanical equipment are generally restricted to daytime operating hours, and most ordinances provide exemptions for emergency vehicles, municipal operations, or permitted public events.

Enforcement is typically handled by municipal police departments or code compliance officers, with violations commonly treated as municipal citations subject to fines that may reach up to approximately \$500 depending on the jurisdiction.

Staff Recommendation:

Staff recommends approval of the amendments to Section 8.02.003 Noise of the Code of Ordinances, as presented.

Exhibits:

Exhibit A - New noise standards

Exhibit B - Current noise standards

Exhibit A

Sec. 8.02.003 Noise Control

Sec. 8.02.003-1. Purpose.

The purpose of this ordinance is to protect the peace, health, safety, and quiet enjoyment of residential neighborhoods by regulating noise from commercial establishments, outdoor patios, and amplified sound. The Town affirms that residential character and citizen quality-of-life shall take precedence over commercial activity.

Sec. 8.02.003-2. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. All terminology used in this article not defined in this section, shall be in conformance with applicable publications of the American National Standards Institute (ANSI), or its successor body.

Ambient (background) sound pressure level means the all-encompassing sound associated with a given environment, being usually a composite of sounds from all sources, excluding the alleged offensive sound, at the location and approximate time at which a comparison with the alleged offensive sound is to be made.

Amplified sound means any sound projected by mechanical, electrical, or digital amplification, including speakers, PA systems, subwoofers, live music equipment, DJ systems, televisions, or outdoor audio systems.

Commercial establishment means any restaurant, bar, café, club, church, school, event venue, or any business offering food, beverage, entertainment, or assembly.

Cyclically varying noise means any sound which varies in sound level such that the same level is obtained repetitively at relatively uniform intervals of time.

Decibel (dB) means a unit for measuring the volume of a sound, equal to 20 times the logarithm to the base ten of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter), denoted as dB.

Device means any mechanism which produces, or is intended to produce, noise when operated or handled.

Emergency vehicle means a motor vehicle used in response to a public calamity or to protect persons or property from imminent exposure to danger.

Emergency work means any work performed for the purpose of preventing or alleviating physical trauma or property damage threatened or caused by an emergency.

Energy equivalent sound level (leq) means the sound level corresponding to the average sound energy during a specified period of time. Its calculation involves the conversion of decibels (a logarithmic quantity) to corresponding intensities (a linear quantity), performing the averaging, and finally changing the average back to decibels.

Impulsive sound means sound characterized by a peak less than one second in length, an abrupt onset, a rapid decay, and a peak sound level which exceeds the ambient sound level by 20dB(A) or more.

Motor vehicle means any vehicle propelled by mechanical power, such as, but not limited to, any passenger car, truck, truck-trailer, semitrailer, camper, motorcycle, minibike, go-cart, dune buggy or racing vehicle.

Noise means any sound which annoys or disturbs a person, or which causes or tends to cause an adverse psychological or physiological effect on people.

Noise disturbance means any unreasonably loud or disturbing noise which is offensive to an adult person within the town, in which noise renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort.

Nuisance noise means any noise that disturbs or interferes with the comfort, rest, health, peace, or quiet enjoyment of nearby residents.

Outdoor patio includes any outdoor seating, dining, bar service, or entertainment area accessible to patrons.

Powered model vehicle means any self-propelled airborne, waterborne or land-borne plane, vessel or vehicle, which is not designed to carry persons including, but not limited to, any model airplane, boat, car or rocket.

Pure tone means any sound which can be distinctly heard as a single pitch or a set of single pitches. For the purposes of this article, a pure tone shall exist if the one-third octave band sound pressure level in the band with the tone exceeds the arithmetic average of the sound pressure levels of the two contiguous one-third octave bands by five dB for center frequencies of 500 Hz and above and by eight dB for center frequencies between 160 and 400 Hz and by 15 dB for center frequencies less than or equal to 125 Hz.

Quiet zone means property on which a school, hospital, clinic or other noise sensitive facility is operated.

Repetitive impulsive sound means any sound which is composed of impulsive sounds that are repeated at sufficiently slow rates such that a sound level meter set at "fast" meter characteristic will show changes in sound pressure level greater than ten dB(A).

Residential property line means the boundary of any parcel zoned or used for residential purposes.

Sound level means the weighted sound pressure level obtained using a sound level meter and frequency weighting network, such as A, B or C, as specified in American National Standards Institute specifications for sound level meters. If the frequency weighting employed is not indicated, the A-weighting shall apply.

Sound level meter means an instrument for the measurement of sound, including a microphone, amplifier, RMS detector and integrator, output meter and weighted networks, that is sensitive to pressure fluctuations. The instrument reads sound pressure levels when properly calibrated and is of type H or better so specified in ANSI publication S1.4-1971 or its successor body.

Sound pressure level means expressed in decibels, 20 times the logarithm to the ratio of the pressure of the sound to a reference pressure, which reference pressure shall be explicitly stated.

Stationary sound source means any device, fixed or movable, which is located or used on property other than a public right-of-way.

Vibration means an oscillatory motion of solid bodies of deterministic or random nature described by displacement, velocity or acceleration with respect to a given reference point.

Sec. 8.02.003-3. Noise standards.

- A. The following noise standards, unless otherwise specifically indicated, shall apply to all property with a designated land use district:

TABLE 1
LIMITING SOUND LEVELS FOR LAND USE DISTRICTS

Land Use District	Time of Day	Energy Equivalent Sound Levels (Leq)
Residential	10:00 p.m. to 7:00 a.m.	52 dB(A)
	7:00 a.m. to 10:00 p.m.	62 dB(A)
Office, retail	Anytime	62 dB(A)
Commercial	Anytime	67 dB(A)
Industrial	Anytime	70 dB(A)

- B. It shall be unlawful for any person at any location in the town to create any noise, or to allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level when measured on or beyond the boundaries of the property on which the noise is produced, or measured within any other residential dwelling unit or commercial space, to exceed:
1. The noise standard in any measurement period not less than 30 minutes.
 2. The noise standard, plus 15 dB(A) in any one-minute average of a measurement period.
 3. The noise standard, plus 20 dB(A) at any time in a measurement period.
- C. For the purpose of enforcing the provisions of this section, a measurement period shall not be less than 30 minutes.
- D. The sound level limits established in Table 1 as set out in subsection A of this section for residential districts shall be applicable to all quiet zones.
- E. If the ambient sound level exceeds the resulting standards, the ambient level shall be the standard.
- F. If the intruding noise source is continuous and cannot reasonably be discontinued or stopped, the measured sound level obtained while the source is in operation shall be compared directly to the applicable standard in the receiving land use district on which the sound is measured.
- G. Correction for character of sound. For any stationary source of sound which emits a pure tone, cyclically varying sound or repetitive impulsive sound, the limits set forth in Table 1 which is set out in subsection A of this section shall be reduced by five dB(A).
Notwithstanding compliance with this subsection, it shall be a violation of this article for any person to operate or permit any stationery source of sound to be operated on which emits a pure tone, cyclically varying, or repetitive impulsive sound which creates a noise disturbance.
- H. When the land use district design of the property on which the source of sound originates differs from the designation of the property on which the sound is measured, the maximum permissible sound level of the more restrictive land use district designation shall apply.
- I. For sound emitted on public property, the measurement distance shall be 50 feet (15 meters), and the sound level limit for the appropriate land use district shall apply.

Sec. 8.02.003-4. Prohibited noise.

- A. No person shall allow, make, or cause to be made, any unreasonably loud or disturbing noise in the town which is offensive to an adult person within the town; which noise

renders the enjoyment of life or property uncomfortable, or interferes with public peace and comfort; nor shall any person allow, make, or cause to be made, any unreasonably loud or disturbing noise in the town.

- B. Noise is considered *audible* if it can be heard by a Code Officer with the unaided human ear, regardless of decibel level.
- C. The following activities, among others, but not to exclude other such acts, are declared to create unreasonably loud or disturbing noises in violation of this article, unless a permit of variance is first obtained, namely:
 - 1. *Animals*. Owning, keeping, possessing or harboring any animals which, by noise making, disturb or interfere with the peace, comfort or repose of neighboring residents, or cause a noise disturbance. The provisions of this article shall apply to all public and private facilities, including any animal shelter or commercial kennel, which hold or treat animals.
 - 2. *Radios, television sets, musical instruments, loud speaking amplifiers and similar devices*.
 - a) The using, operating or permitting to be played, used or operated any sound production or reproduction device, radio receiving set, musical instrument, drums, phonograph, television set, loudspeakers and sound amplifiers or other machine or device for the producing or reproducing of sound in such a manner to cause a noise disturbance.
 - b) The operation of any such radio, instrument, phonograph, television set, machine, loudspeakers or similar device between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the building, structure or vehicle in which it is located, shall be prima facie evidence of a violation of this article.
 - c) The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention to any cause or demonstration, or to any performance, show, sale or display of merchandise to attract customers to any place of business when such use is done in a manner which causes a noise disturbance.
 - d) The use of mechanical devices, loudspeakers, sound amplifiers or other instruments or devices on trucks or other moving vehicles for the purpose of attracting attention to any cause or demonstration, or for advertising any show, sale or display of merchandise when such use is done in a manner which causes a noise disturbance.
 - 3. *Yelling, shouting, hooting, whistling and singing*. The yelling, shouting, crying, hooting, whistling or singing of peddlers, hawkers or any other person in a manner that causes a noise disturbance.

4. *Loading operations.* The loading or unloading of any vehicle between the hours of 7:00 p.m. and 7:00 a.m. the following day on any premises in a residential district, or within 500 feet of any residence in such a manner as to cause a noise disturbance.
5. *Construction work.*
 - a) Operating any equipment in a nonresidential district used for commercial construction, repair, alteration or demolition work on buildings, structures, streets, alleys or appurtenances.
 - b) Operating any equipment in a residential district, or within 500 feet of any residence, used in commercial construction, repair, alteration or demolition work on buildings, structures, streets, alleys or appurtenances thereto and/or the erection, including excavation, demolition, alteration or repair of any building in a residential district, or within 500 feet of any residence, at times other than between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Friday, and 9:00 a.m. and 5:00 p.m. on Saturday.
6. *Vehicle repairs or testing.* The repairing, rebuilding, modifying or testing of any motor vehicle (including off-road vehicles) or watercraft on private property, on a public right-of-way, on a public space, or in a quiet zone, between the hours of 7:00 p.m. and 7:00 a.m. the following day, in such a manner as to cause a noise disturbance.
7. *Impulsive sources.* Causing impulsive sound sources including, but not limited to, the use of fireworks, explosives, the firing of guns or other explosive devices in such a manner as to cause a noise disturbance. This is not intended to preclude any existing ordinances prohibiting such acts.
8. *Powered model mechanical devices.* The flying of model aircraft powered by internal combustion engines, whether tethered or not, or the firing or operating of model rocket vehicles or other similar noise producing devices, between the hours of 10:00 p.m. and 7:00 a.m. the following day, in such a manner as to cause a noise disturbance.
9. *Refuse compacting vehicles.* Operating or permitting any refuse compacting, processing or collecting vehicle or parking lot to sweeper between the hours of 10:00 p.m. and 7:00 a.m. the following day, in any residential district, or within 500 feet of any residence in such a manner as to cause a noise disturbance.
10. *Quiet zone.* Creating a noise disturbance on any street adjacent to any school, hospital, clinic or other noise sensitive facility, when conspicuous signs are located at such streets indicating that schools, hospitals, clinics, or other noise sensitive facilities are adjacent thereto.

11. *Vibration.* Using or causing the use of any device that creates any ground vibration which is perceptible without instruments at any point on or beyond the property boundary of the source if on private property or at 50 feet from the source if on a public space or public right-of-way.
12. *Stationary nonemergency signaling devices.* Sounding or permitting the sounding of any electronically activated or amplified signal from any stationary bell, chime, siren, whistle, or similar device, intended primarily for nonemergency purposes, from any place for more than five minutes during any consecutive 60-minute period.
13. *Outdoor amplified sound from commercial establishments.* Prohibited unless specifically authorized by the Town under a special permit.

A permit may be issued only if:

- (a) The sound is limited to background-level only;
- (b) No subwoofers or bass-projecting equipment are used;
- (c) Speakers are oriented inward toward the building and never toward residences;
- (d) Music or public address is not audible at any residential property line.

14. *Amplified Sound on Outdoor patios.* Outdoor patios within **300 feet** of any residence shall not use amplified sound and must cease all customer use by:
 - a) **9:00 PM** Sunday–Thursday
 - b) **10:00 PM** Friday–Saturday
 - c) No outdoor bar counters, outdoor DJs, outdoor televisions, or entertainment stages shall be allowed within **500 feet** of a residence.
 - d) Patio occupancy may be limited by the Town when necessary to protect residential quiet.

Sec. 8.02.003-5. Quiet Hours.

Quiet hours shall be:

- **Sunday–Thursday: 9:00 PM – 7:00 AM**
- **Friday–Saturday: 10:00 PM – 8:00 AM**

During quiet hours:

- No outdoor customer activity is permitted within 300 feet of a residence.
- No amplified sound is permitted anywhere.
- All loading, deliveries, and trash pickup must cease.

Sec. 8.02.003-6. Speakers and Equipment Restrictions.

- A. Outdoor subwoofers are prohibited in the Town.
- B. Speaker systems must include automatic volume limiters if any permit is issued.
- C. Speakers may not be mounted higher than **10 feet** above ground level.

D. No speakers may face residential areas.

- (a) Any unreasonably loud, disturbing, unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity thereof is hereby declared to be a nuisance and is hereby prohibited.
- (b) Any noise of such character, intensity, and continued duration which substantially interferes with the comfortable enjoyment of private homes by persons of ordinary sensibilities is hereby declared to be a nuisance and is hereby prohibited.
- (c) The following acts, among others, are declared to be noise nuisances in violation of this article, but said enumerations shall not be deemed to be exclusive, to wit:
 - (1) *Radios.* The playing of any radio, television, phonograph or other musical instrument in such manner or with such volume, particularly during the hours between 11:00 o'clock p.m. and 7:00 a.m., as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in any dwelling, hotel, or other type of residence.
 - (2) *Loudspeakers.*
 - (A) The use of any stationary loudspeaker or amplifier or other musical instrument in such manner or with such volume, particularly between 11:00 p.m. and 7:00 a.m., that annoys and disturbs persons of ordinary sensibilities in the immediate vicinity thereof;
 - (B) The operation of such loudspeaker or amplifier or other musical instrument at any time on Sunday.

Provided, however, that, upon application by the user of such devices, the town may make special exemption or exception to this subsection for such time or times as the town feels will serve the public welfare.
 - (3) *Animals.* The keeping of any animal or bird which by causing frequent or long-continued noise shall disturb the comfort and repose of any person of ordinary sensibilities in the immediate vicinity.
 - (4) *Whistles.* The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of danger, or the blowing of any other loud or far-reaching steam whistle within the town limits.
 - (5) *Compressed air.* The use of any mechanical device operated by compressed air, unless the noise to be created is effectively muffled and reduced.
 - (6) *Building; operation of equipment.*
 - (A) The erection, including excavation, demolition, alteration, or repair work, of any building at any time other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays from September 16 to May 14, other than between the hours of 6:00 a.m. and 6:00 p.m. on weekdays from May 15 to September 15, other than between the hours of 7:00 a.m. and

5:00 p.m. on Saturdays, or at any time on Sundays, except in the case of urgent necessity in the interest of public safety and convenience, and then only by permit from the town council, which permit may be renewed by the town council during the time the emergency exists.

- (B) The operation of any equipment, machinery or apparatus for excavation, construction, grading, earth moving, paving, concrete laying or pouring, drilling or work of any nature, or the operation of any chainsaw, other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, other than between the hours of 7:00 a.m. and 5:00 p.m. on Saturdays, or at any time on Sundays, except in case of urgent necessity in the interest of public safety and convenience, and then only by permit from the town council, which permit may be renewed by the town council during the time the emergency exists.
- (C) The operation, other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, and other than between the hours of 7:00 a.m. and 5:00 p.m. on Saturdays, and not at any time on Sundays, of any equipment, truck or machinery which emits noises of such intensity or loudness that annoy or disturb persons of ordinary sensibility within such distance, except in the case of urgent necessity in the interest of public safety and convenience, and then only by permit from the town council, which permit may be renewed by the town council during the time the emergency exists.
- (D) Notwithstanding any of the above, the town council shall have the authority to issue a permit for alteration or for repair work or new construction in connection with owner-occupied residences when the particular work is to be performed by the owner-occupant of the premises when such work is to be between the hours of 7:00 p.m. and 9:00 p.m. Monday through Friday, inclusive, or between the hours of 5:00 p.m. and 9:00 p.m. Saturday, inclusive.
- (E) This article is not intended to prohibit and shall not prohibit in any way the operation of power lawnmowers or other lawn equipment used for agricultural purposes or lawn maintenance.
- (7) *Noise near schools or hospitals.* The creation of any excessive noise on any street adjacent to any school or institution of learning while the same is in session, or adjacent to any hospital, which unreasonably interferes with the workings of such institutions, provided conspicuous signs or other evidence is displayed in such manner as to indicate that such is a school or hospital street, or that such institutions are schools or hospitals.
- (8) *Loading or unloading.* The creation of any loud and excessive noise in connection with the loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates, and containers.
- (9) *Shouting of peddlers.* The raucous shouting and crying of peddlers, hawkers, and vendors which disturbs the peace and quiet of the neighborhood.

- (10) *Shouting on streets.* The loud speaking, orating or exhorting by any person upon any public street or sidewalk within the town limits which disturbs the peace and quiet of persons of reasonable sensibilities.
- (11) *Drums or other instruments used for attracting attention.* The use of any drum, loudspeaker, or other instrument or device for the purpose of attracting attention by creation of noises, such as speaking, music or hallooing, to any performance, show, theater, moving-picture house, sale of merchandise, or display, which causes crowds of people to block or congregate upon the sidewalks and/or streets near or adjacent thereto.
- (12) *Engine brakes.*
- (A) This subsection applies to the use or operation of an auxiliary or compression engine brake (also known as "Jake" brake) which produces any noise in addition to the normal operating engine noise. Operation of an auxiliary or compression brake is prohibited within the town limits. This provision is not intended to prohibit the passage of vehicles equipped with engine brakes in posted areas but rather prohibit the use of such equipment in posted areas.
- (B) It shall be unlawful for any driver of a truck or truck-tractor to activate or use the unit's engine brake within the town limits except in an emergency situation.
- (C) The term "emergency situation," for the purposes of this subsection, shall mean one in which there is imminent danger or collision with property, persons or animals.
- (D) The town administrator, or his designee, is hereby authorized to have the proper traffic signs erected, constructed, and placed at such points along said highways, streets or alleys, or portions hereof under construction, maintenance or repair so that travelers will be reasonably notified of said regulations.
- (E) Any person violating any of the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed \$500.00 and a separate offense shall be deemed committed each time a violation occurs.

(2004 Code, § 8.102; Ord. No. 2010-06, 3-9-10; Ord. No. 2010-17, § 2, 10-26-10; Ord. No. 2020-06, § 2, 3-24-20; Ord. No. 2024-11, § 2(Exh. A), 3-18-24)

State Law reference— Authority of municipality to restrain or prohibit the ringing of bells, blowing of horns, hawking of goods, or any other noise, V.T.C.A., Local Government Code § 217.003; disorderly conduct, V.T.C.A., Penal Code § 42.01.



PLANNING AND ZONING COMMISSION STAFF REPORT

Meeting

Date: April 1, 2026

To: Chairman and Members of the Planning and Zoning Commission

From: Harrison Wicks, Director of Community Development

Subject: Public Hearing – Specific Use Permit Amendment for Child Day Care Center (Business)

Purpose:

Hold a public hearing, consider and make a recommendation to Town Council on an amendment to Specific Use Permit Ordinance 2023-26 and 2024-25 (SUP-26-001) for a Child Day Care Center (Business) located at 319 South US Hwy 377, Town of Argyle, Denton County, Texas.

Existing Condition of Property:

The property, Office Retail (OR), is currently developed with a restaurant, known as Little Joe's, and a Child Day Care Center (Business) use, known as the Argyle Christian Academy. The property is accessed by US Hwy 377 to the west. The majority of the subject property contains pervious and impervious surfaces for parking adjacent to the businesses, with mature trees scattered throughout the rear of the site.

Adjacent Existing Land Uses and Zoning:

North: Rapid Med zoned VC-MU – Village Center-Mixed Use

South: Multiple buildings zoned OR – Office Retail

East: Undeveloped land zoned CF – Community Facilities

West: US Hwy 377 Right-of-Way

Background:

Ordinance 2023-26 was approved by Town Council on August 21, 2023, for the original Specific Use Permit (SUP-23-003), with the following conditions:

1. That the proposed use would be limited to the rear portion of the lot and shall not exceed 2,000 square feet.
2. Vehicular access shall be provided to the property to the north in the event the existing Child Day Care Building is demolished, and a vehicular access easement shall be provided to the property to the south.

Ordinance 2024-25 was then approved by Town Council on September 16, 2024, amending the original Specific Use Permit (SUP-23-003), in order to increase the square footage limit of the SUP to accommodate a third classroom in an accessory structure behind the main building. The following conditions included:

1. That the proposed use would be limited to the rear portion of the lot and shall not exceed 2023 square feet in total.
2. Vehicular access shall be provided to the property to the north in the event the existing Child Day Care Building is demolished, and a vehicular access easement shall be provided to the property to the south.
3. The presence of the Child Day Care Center shall not limit the sale or service of alcoholic beverages.

Development Review Analysis:

The property owner has now submitted an SUP application to amend Ordinance 2024-25 in order to remove condition number 2 read as follows: *Vehicular access shall be provided to the property to the north in the event the existing Child Day Care Building is demolished, and a vehicular access easement shall be provided to the property to the south.*

This proposal is due to the fact that the property owner is against cross access on their property due to the perceived danger of north/south traffic adjacent to the Child Day Care Center use. The Denton County Emergency Services District #1 reviewed this request and recommends approval, on the condition that the property owner installs a fire hydrant on the property.

This does not preclude DCESD#1 from accessing fire access requirements in the future, as the need arises. The International Fire Code does not allow DCESD#1 to grant immunity to fire requirements into the future.

Public Hearing Notice Responses:

Letters were sent out to surrounding property owners within 200' of the subject property pursuant to the Texas Local Government Code, Subsection 211.006(d). Courtesy letters were also sent out to property owners within 1,000' of the subject property pursuant to the Town of Argyle Zoning Ordinance and a public hearing sign was posted on the subject property. Staff will provide an update regarding the responses received during the P&Z meeting.

Staff Recommendation:

Staff recommends approval of the Specific Use Permit Amendment for the elimination of the vehicular access condition listed in Ordinance 2024-25, with the condition that the property owner installs a fire hydrant on the property as stipulated by DCESD#1.

Attachments:

Exhibit A – Ordinance 2024-25

EXHIBIT A

Item 5.

TOWN OF ARGYLE, TEXAS ORDINANCE NO. 2024-25

AN ORDINANCE OF THE TOWN OF ARGYLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE IN THE DEVELOPMENT STANDARDS OF THE TOWN OF ARGYLE, TEXAS, BY APPROVING A SPECIFIC USE PERMIT (SUP) AS AN OVERLAY DISTRICT FOR A CHILD DAY CARE CENTER (BUSINESS) ON PROPERTY LEGALLY DESCRIBED AS LOT 1, BLOCK A OF THE 401 ARGYLE ADDITION, AND ZONED (OR) OFFICE RETAIL; IN THE TOWN OF ARGYLE, DENTON COUNTY, TEXAS; AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF ARGYLE, TEXAS, TO REFLECT THE SPECIFIC USE PERMIT AS AN OVERLAY DISTRICT FOR A CHILD DAY CARE CENTER (BUSINESS); PROVIDING THAT ORDINANCE NO. 2023-26 IS SUPERSEDED; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS/REPEALING CLAUSE; PROVIDING INJUNCTIVE RELIEF; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, Jim Reid has submitted a Specific Use Permit amendment application to the Town of Argyle, Texas for the purpose of amending the conditions of operating a Child Day Care Center (Business) on property legally described as Lot 1, Block A of the 401 Argyle Addition, And Zoned (OR) Office Retail; and

WHEREAS, on September 4, 2024, the Planning and Zoning Commission of the Town of Argyle, in compliance with the Town Development Standards and the Comprehensive Zoning Ordinance of the Town of Argyle, Texas and with the requisite notices by publication and otherwise, afforded a full and fair hearing to all the property owners interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, the Argyle Town Council, in compliance with State Law, the Town Development Standards, and the Town Comprehensive Zoning Ordinance, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof; the governing body of the Town of Argyle, Texas, deems it to be in the best interest and welfare of the Town that said Specific Use Permit as an Overlay District for the Child Day Care Center (Business) should be approved as submitted.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ARGYLE, TEXAS:

SECTION 1: That all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2: That the Comprehensive Zoning Ordinance in the Development Standards of the Town of Argyle, Texas, is hereby amended by approving a Specific Use Permit as an Overlay District to allow the operation of a Child Day Care Center (Business) on property legally described as Lot 1, Block A of the 401 Argyle Addition, And Zoned (OR) Office Retail, subject to the following conditions:

A. That the proposed use would be limited to the rear portion of the lot as identified in Exhibit A and shall not exceed 2023 square feet in total;

B. A Vehicular access shall be provided to the property to the north in the event the existing Child Day Care Building is demolished, and a vehicular access easement shall be provided to the property to the south.

C. The presence of the Child Day Care Center shall not limit the sale or service of alcoholic beverages on the property, or any property located within 300 feet of the property line.

SECTION 3. That all building standards authorized by the Specific Use Permit shall conform to the Town Development Standards of the Town of Argyle, Texas, including the Comprehensive Zoning Ordinance, except as provided in this Ordinance.

SECTION 4. That the Official Zoning Map of the Town of Argyle, Texas, is hereby amended to reflect the approval of the Specific Use Permit as an Overlay District for the Child Day Care Center (Business).

SECTION 5. That the above described Property shall be used only in the manner and for the purpose provided by the Town Development Standards of the Town of Argyle as heretofore amended, and as amended herein.

SECTION 6. That Ordinance No. 2023-26 is hereby superseded in its entirety.

SECTION 7. That any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Town Development Standards of the Town of Argyle, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

SECTION 8. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or portion thereof, other than that portion so decided to be invalid or unconstitutional.

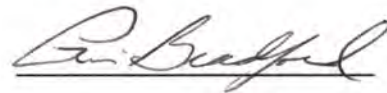
SECTION 9. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 10. In addition to and accumulative of all other penalties, the Town of Argyle, Texas, shall have the right to seek injunctive relief for any and all violations of this Ordinance.

SECTION 11. This Ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, as the law in such case provides.

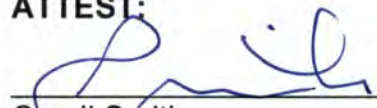
PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF ARGYLE, TEXAS ON THIS THE 16th DAY OF SEPTEMBER 2024.

APPROVED:



Rick Bradford, Mayor

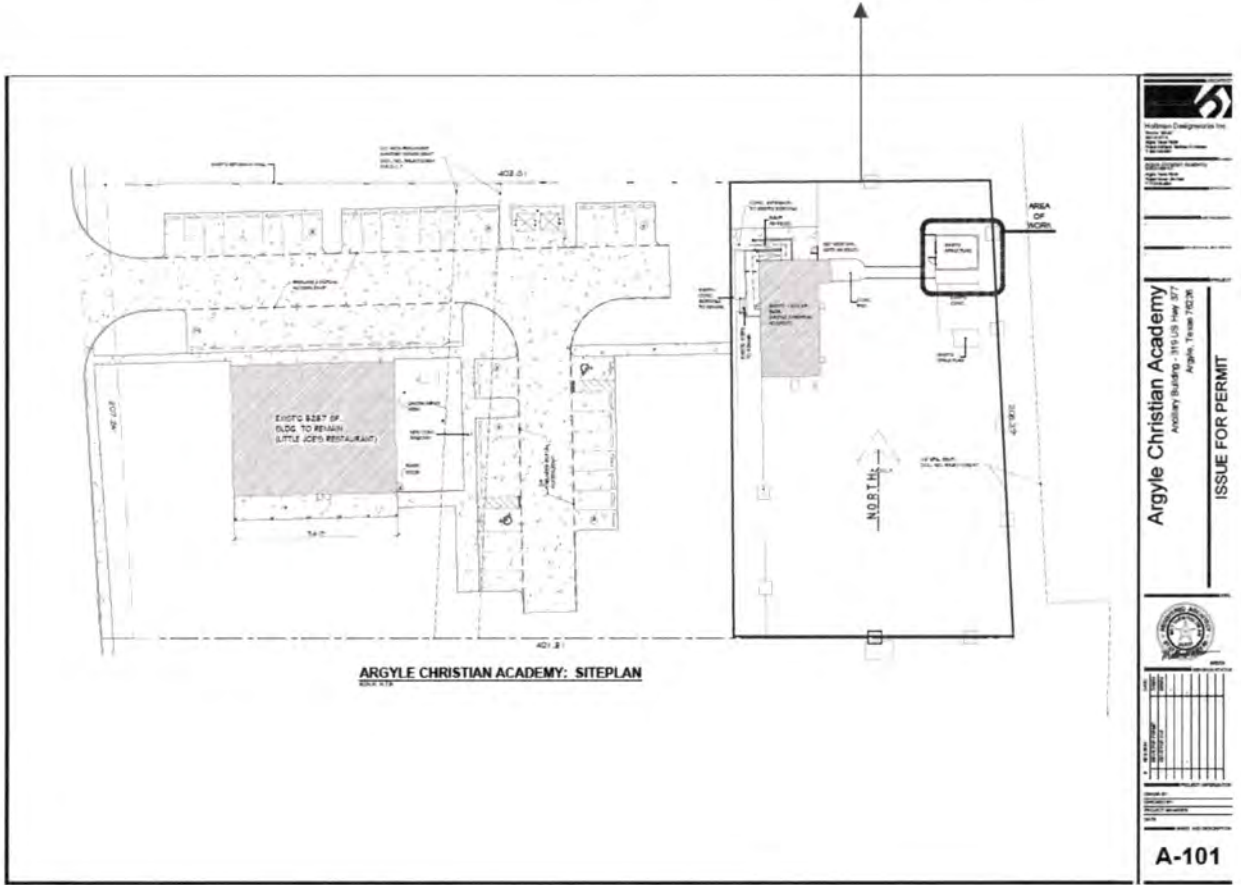
ATTEST:



Candi Smith
Town Secretary

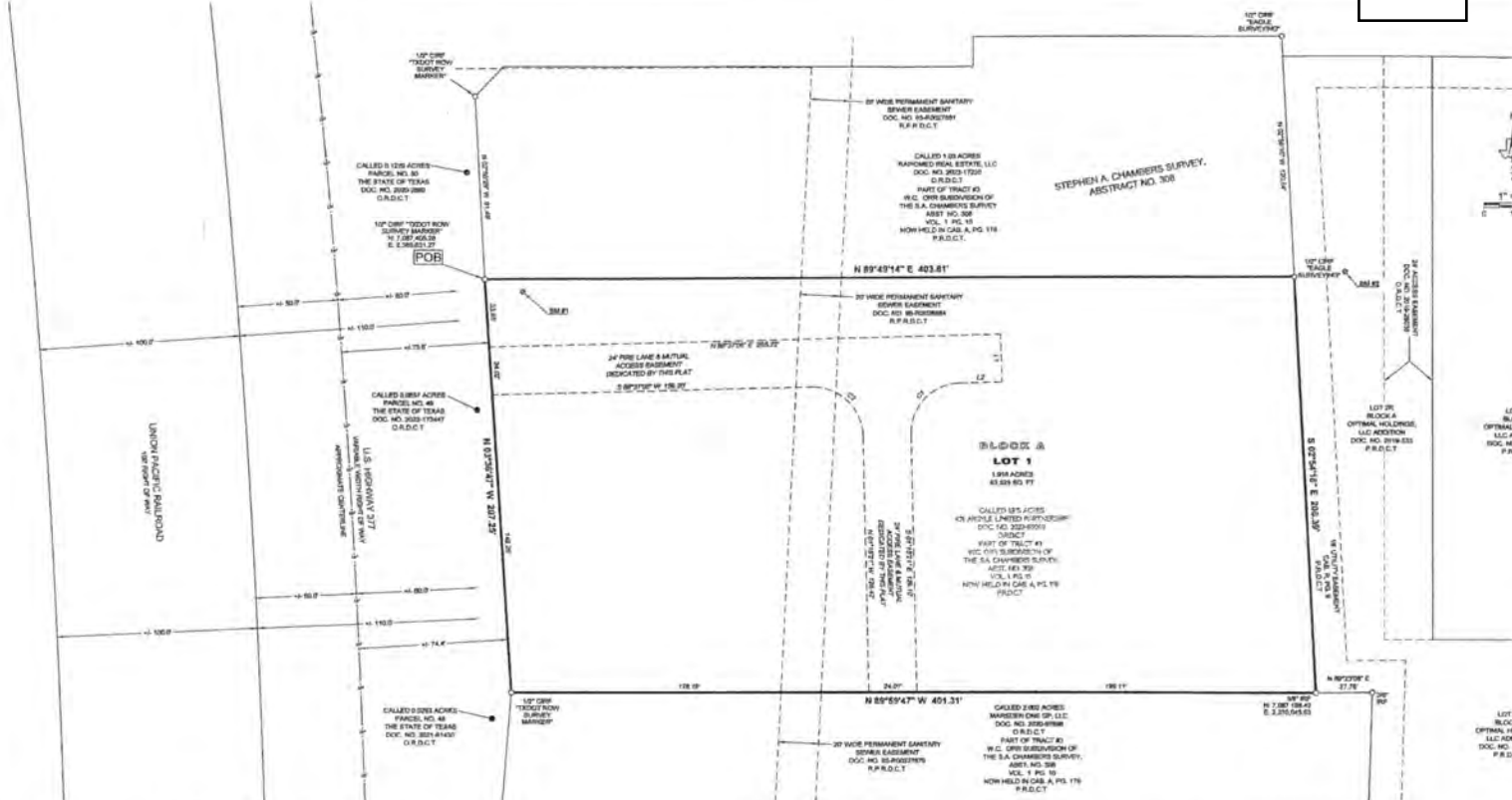
EXHIBIT A

Rear portion of the lot identified for the proposed Child Day Care Center (Business)





- GENERAL NOTES**
- The purpose of this plat is to create one lot for record and to dedicate easements.
 - This property is located in Non-Shaded Zone "C" as shown on the F.E.M.A. Flood Insurance Rate Map dated April 18, 2011. It is located in Community Number 480775 as shown on Map Number 4812300005. The location of the Flood Zone is approximate, no vertical datum was collected at the time of the survey. For the exact Flood Zone designation, please contact 1-877-FEMA-MAP.
 - The bearings and grid coordinates shown on this PLAT are based on GPS observations utilizing the AITRANS RTK Network, North American Datum of 1983 (Adjustment Realization 2011), Texas North Central Zone (G2).
 - Elevations shown on this survey are based on GPS observations utilizing the AITRANS RTK Network, North American Vertical Datum of 1988 (Goid# 128).
 - Setting a portion of this addition by metes and bounds is a violation of Town Ordinance and State Law and is subject to future annulment of interest and building permits.
 - Zoning information shown herein per Town of Argyle Interactive GIS Map accessed on 10/24/2023.
 - Electric service to be provided by Cobble Electric, 7701 S. Stemmons Freeway, Corinth, TX 76011, (940) 331-7802.
 - Water service to be provided by Argyle Water Re Supply Corporation, 825 FM 407, Argyle, TX 76208, (940) 484-7773.
 - Wastewater to be handled by the Town of Argyle.
 - The following three (3) wetlands in Town of Argyle Zoning Code No. SP23-008 have been approved by the Town Council:
 - 1,385, 4,302 and 8,417 lumens per bulb for security lights in the parking lot and well lights on the buildings.
 - The primary entrance will be clearly defined with a canopy and covered porch, orienting an open space area with trees, with the building facing South.
 - There will be no masonry wall as part of the Type E buffer. Five (5) parking spaces within the 60-foot buffer along U.S. Highway 377 will be constructed in order to preserve front sight, a 30' vegetative oak tree.



CERTIFICATE OF APPROVAL

APPROVED by the Town of Argyle Development Services Department:

Nashia Gray
Community Development Director

[Signature]
Secretary

Date of Approval: January 5, 2024

LEGEND

- CAB. = CABINET
- VOL. = VOLUME
- PAGE = PAGE
- POB = POINT OF BEGINNING
- RF = IRON ROD FOUND
- CRF = CAPPED IRON ROD FOUND
- 1/2" IRON ROD WITH GREEN PLASTIC CAP STAMPED "EAGLE SURVEYING" SET
- DOC. NO. = DOCUMENT NUMBER
- P.R.D.C.T. = DENTON COUNTY, TEXAS
- R.P.R.D.C.T. = DENTON COUNTY, TEXAS
- O.R.D.C.T. = OFFICIAL RECORDS, DENTON COUNTY, TEXAS

BENCHMARK INFORMATION

BM 11
1/2" CAPPED IRON ROD "EAGLE CONTROL"
N: 709738.36
E: 236995.25
ELEV: 700.37

BM 2
1/2" CAPPED IRON ROD "EAGLE CONTROL"
N: 707400.36
E: 237095.30
ELEV: 708.63

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DENTON

WHEREAS, 401 ARGYLE LIMITED PARTNERSHIP, is the owner of a 1.918 acre tract of land out of the STEPHEN A. CHAMBERS SURVEY, ABSTRACT 308, situated in the Town of Argyle, Denton County, Texas and being all of a called 1.915 acre tract of land conveyed to 401 Argyle Limited Partnership by warranty deed of record in Document Number 2023-0208B of the Official Records of Denton County, Texas, also being a portion of Tract #3 of the W.C. OR SUBDIVISION OF THE S.A. CHAMBERS SURVEY, ABST. NO. 308, a subdivision of record in Volume 1, Page 11, now laid in Cabinet A, Page 179 of the Plat Records of Denton County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with a pink plastic cap stamped "TXDOT ROW SURVEY MARKER" found in the East right of way line of U.S. Highway 377 (variable width R.O.W.), being the Southwest corner of a called 1.03 acre tract of land conveyed to Regalwood Real Estate, L.L.C. by warranty deed of record in Document Number 2022-17223 of said Official Records, also being the Northeast corner of a called Parcel #8 - 0.0857 acre tract of land conveyed to The State of Texas by Agreed Final Judgment of record in Document Number 2022-173447 of said Official Records, also being the Southeast corner of a called Parcel 50 - 0.1228 acre tract of land conveyed to The State of Texas by Deed of record in Document Number 2020-2880 of said Official Records, also being the Northwest corner of said 1.915 acre tract, from which a 1/2 inch iron rod with a pink plastic cap stamped "TXDOT ROW SURVEY MARKER" found bears N02°56'22"W, a distance of 11.48 feet.

THENCE, N89°49'14"E, along the East right of way line of U.S. Highway 377 along the South line of said 1.03 acre tract, being the common North line of said 1.915 acre tract, a distance of 403.81 feet to a 1/2 inch iron rod with a green plastic cap stamped "EAGLE SURVEYING" found in the West line of Lot 2B, Block A of Optimal Holdings, L.L.C. Addition, a subdivision of record in Document Number 2019-333 of said Plat Records, being the Southeast corner of said 1.03 acre tract, also being the Northeast corner of said 1.915 acre tract, from which a 1/2 inch iron rod with a green plastic cap stamped "EAGLE SURVEYING" found bears N02°56'09"W, a distance of 120.54 feet.

THENCE, S02°54'18"E, along the West line of said Lot 2B, being the common East line of said 1.915 acre tract, a distance of 208.39 feet to 3/8 inch iron rod found in the North line of a called 2.002 acre tract of land conveyed to Marlene One OF, L.L.C. by deed of record in Document Number 2020-97896 of said Official Records, being the Southeast corner of said 1.915 acre tract, from which a 3/8 inch iron rod found at the Northwest corner of said 2.002 acre tract bears N87°23'08"E, a distance of 27.78 feet.

THENCE, N89°50'24"W, along the North line of said 2.002 acre tract, being the common South line of said 1.915 acre tract, a distance of 401.31 feet to a 1/2 inch iron rod with a pink plastic cap stamped "TXDOT ROW SURVEY MARKER" found in the East right of way line of U.S. Highway 377, being the Northwest corner of a called Parcel #8 - 0.0857 acre tract of land conveyed to The State of Texas by Judgment of record in Document Number 2021-41430 of said Official Records, also being the Southeast corner of said 0.0857 acre tract, also being the Southeast corner of said 1.915 acre tract.

THENCE, N01°58'14"W, along the East right of way line of U.S. Highway 377, being the East line of said 0.0957 acre tract, also being the common West line of said 1.915 acre tract, a distance of 207.25 feet to the POINT OF BEGINNING and containing an area of 83.523 square feet, or 1.918 acres of land, more or less.

SUBVEYOR
Eagle Surveying, LLC
Contact: Brad Edwards
222 S. Elm Street, Suite 200
Denton, TX 76201
(940) 222-3009

OWNER
401 Argyle Limited Partnership
Contact: Jen Field
1918 James Pkwy Court
Bartonville, TX 76204
(817) 444-4003

ENGINEER
Kirkman Engineering
Contact: Christine Wharton
5300 State Highway 121
Colleyville, TX 76034
(817) 468-4800

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 01°22'54" E	24.00'
L2	S 89°30'00" W	21.39'

OWNER'S DEDICATION

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, 401 ARGYLE LIMITED PARTNERSHIP, does hereby adopt this plat, designating herein described property as 401 ARGYLE ADDITION, LOT 1, BLOCK A, in addition to the Town of Argyle, Denton County, Texas, and does hereby dedicate to the public use forever the streets and alleys shown thereon and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utility desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growth which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easement strips and any public utility shall at all times have the right of ingress and egress to and from and upon this said easement strips for the purpose of constructing, reconstructing, keeping and repairing, without the necessity of any license or permission of anyone. This plat adopted subject to all existing ordinances, rules, regulations, and resolutions of the Town of Argyle, Texas.

Witness my hand, this 18 day of February, 2024

401 ARGYLE LIMITED PARTNERSHIP
BY: *[Signature]* DATE: 2-18-2024
James Field

STATE OF Texas
COUNTY OF Denton

BEFORE ME, the undersigned authority, on this day personally appeared James Field, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this 18 day of February, 2024

[Signature]
Notary Public in and for the State of Texas

CERTIFICATE OF SURVEYOR

STATE OF TEXAS
COUNTY OF DENTON

I, MATTHEW RAABE, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from its actual and true and that the corner instruments shown thereon as set were properly placed under my personal supervision in accordance and regulations of the Town of Argyle, Texas.

[Signature]
Matthew Raabe, R.L.S. # 8261

STATE OF TEXAS
COUNTY OF DENTON

BEFORE ME, the undersigned authority, on this day personally appeared MATTHEW RAABE, known to me to be the person subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this 18 day of February, 2024

[Signature]
Notary Public in and for the State of Texas

FINAL PLAT
401 ARGYLE ADDITION
LOT 1, BLOCK A
1.918 ACRES

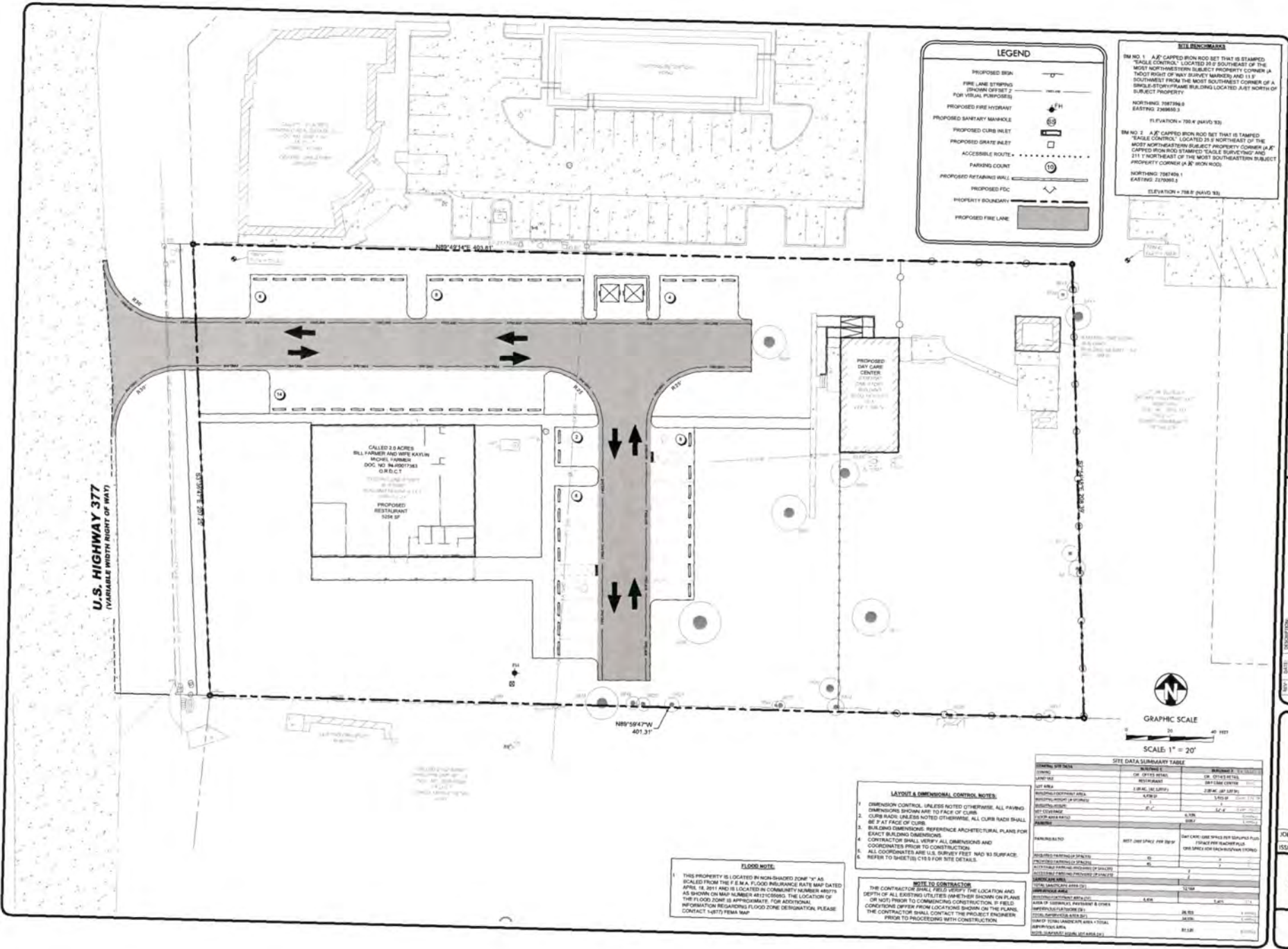
BEING ALL OF A CALLED 1.915 ACRE TRACT CONVEYED TO 401 ARGYLE LIMITED PARTNERSHIP, RECORDED IN DOC. NO. 2023-65069, O R D C T STEPHEN A. CHAMBERS SURVEY, ABSTRACT NUMBER 308 TOWN OF ARGYLE, DENTON COUNTY, TEXAS ZONED OFFICE/RETAIL (OR)

DATE OF PREPARATION: 02/14/2024

EAGLE SURVEYING

Job Number: 2304-075-04
Date: 02/14/2024
Revision:
Drawn by: DJJ

Eagle Surveying, LLC
222 South Elm Street
Suite: 200
Denton, TX 76201
940.222.3009
www.eaglesurveying.com
TX Firm # 10194177



LEGEND

- PROPOSED SIGN
- FIRE LINE STRIPING (SHOWN ON SET 2 FOR VISUAL PURPOSES)
- PROPOSED FIRE HYDRANT
- PROPOSED SANITARY MANHOLE
- PROPOSED CURB INLET
- PROPOSED DRAIN INLET
- ACCESSIBLE ROUTE
- PARKING COUNT
- PROPOSED RETAINING WALL
- PROPOSED FDC
- PROPERTY BOUNDARY
- PROPOSED FIRE LINE

BILL BENCHMARKS

BM NO. 1: 4" CAPPED IRON ROD SET THAT IS STAMPED "TABLE CONTROL" LOCATED 20' SOUTHWEST OF THE MOST NORTHWESTERN SUBJECT PROPERTY CORNER AT A POINT 11' SOUTH OF THE MOST NORTHWEST CORNER OF A SINGLE-STORY FRAME BUILDING LOCATED JUST NORTH OF SUBJECT PROPERTY.
 NORTHING: 108766.9
 EASTING: 226855.3
 ELEVATION = 758.0' (NAVD 83)

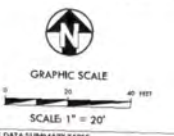
BM NO. 2: 4" CAPPED IRON ROD SET THAT IS STAMPED "TABLE CONTROL" LOCATED 25' NORTHEAST OF THE MOST NORTHWESTERN SUBJECT PROPERTY CORNER AT A POINT 11' NORTH OF THE MOST SOUTHWEST CORNER OF A SINGLE-STORY FRAME BUILDING LOCATED JUST NORTH OF SUBJECT PROPERTY.
 NORTHING: 108745.1
 EASTING: 227055.3
 ELEVATION = 758.0' (NAVD 83)

PRELIMINARY FOR REVIEW THESE DOCUMENTS ARE DESIGN REVIEW ONLY NOT INTENDED FOR CONSTRUCTION PURPOSES. REVIEWERS WERE PREPARED UNDER THE SUPERVISION OF THE SUPERVISOR.

PATRICK C. FRIEDL
 DATE: 3/28/20

BENDER REIT ESTATE COMPANY
 1018 JAMES PRICE
 BAYTOWN, TX
 PHONE: (281) 441-4444
 CONTACT: JAMES

ARGYLE 401 LIMITED PARTNERS
 1.918 AC. TRACT OF STEPHEN A. CHAMBERS SURVEY,



SITE DATA SUMMARY TABLE

DESCRIPTION	AMOUNT	REMARKS
TOTAL AREA	1.918 AC.	
IMPROVED AREA	0.15 AC.	
UNIMPROVED AREA	1.768 AC.	
PAVING	0.15 AC.	
CONCRETE	1,500 SQ. YD.	
ASPHALT	1,500 SQ. YD.	
GRAVEL	1,500 CU. YD.	
STORM SEWER	1,500 LF.	
SANITARY SEWER	1,500 LF.	
WATER MAIN	1,500 LF.	
UTILITY	1,500 LF.	
LANDSCAPE	1,500 SQ. YD.	
IRRIGATION	1,500 LF.	
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SANITARY SEWER	1,500 LF.	
WATER MAIN	1,500 LF.	
UTILITY	1,500 LF.	
LANDSCAPE	1,500 SQ. YD.	
IRRIGATION	1,500 LF.	
RETAINING WALL	1,500 LF.	
CONCRETE	1,500 CU. YD.	
ASPHALT	1,500 SQ. YD.	
GRAVEL	1,500 CU. YD.	
STORM SEWER	1,500 LF.	
SANITARY SEWER	1,500 LF.	
WATER MAIN	1,500 LF.	
UTILITY	1,500 LF.	
LANDSCAPE	1,500 SQ. YD.	
IRRIGATION	1,500 LF.	
RETAINING WALL	1,500 LF.	
CONCRETE	1,500 CU. YD.	
ASPHALT	1,500 SQ. YD.	
GRAVEL	1,500 CU. YD.	
STORM SEWER	1,500 LF.	
SANITARY SEWER	1,500 LF.	
WATER MAIN	1,500 LF.	
UTILITY	1,500 LF.	
LANDSCAPE	1,500 SQ. YD.	
IRRIGATION	1,500 LF.	
RETAINING WALL	1,500 LF.	
CONCRETE	1,500 CU. YD.	
ASPHALT	1,500 SQ. YD.	
GRAVEL	1,500 CU. YD.	
STORM SEWER	1	



PLANNING AND ZONING COMMISSION STAFF REPORT

Meeting

Date: April 1, 2026

To: Chairman and Members of the Planning and Zoning Commission

From: Harrison Wicks, Director of Community Development

Subject: Public Hearing – Zoning Change Amendment for Rapid Med Property

Purpose:

Hold a public hearing, consider and make a recommendation to Town Council on an amendment to Ordinance 2019-11 for Cook Street Restaurant (Z-26-002), being approximately 1.143 acres of land, being a portion of Stephen A. Chambers Survey, Abstract No. 0308A, and being located on the southeast corner of the Cook Street and U.S. Hwy. 377 intersection, located in the Town of Argyle, Denton County, Texas.

Existing Condition of Property:

The property, Village Center Mixed Use, is currently developed with a medical office, known as Rapid Med. The property is accessed by Cook Street to the north. The majority of the subject property contains pervious and impervious surfaces for parking adjacent to the businesses.

Adjacent Existing Land Uses and Zoning:

North: Cook Street Right of Way

South: Multiple buildings zoned OR – Office Retail

East: Undeveloped land zoned CF – Community Facilities

West: US Hwy 377 Right-of-Way

Background:

Ordinance 2019-11 was approved by Town Council on April 23, 2019, for the zoning change from Agricultural (A) to Village Center Mixed Use (VC-MU), with the following conditions:

1. The applicant shall add a note or illustrate that vehicular access connection to the south be provided when the adjacent property to the south is re- developed.
2. The variance request to waive the required sidewalk along US HWY 377 shall be allowed.
3. The variance request to change Alcohol Sales from a Specific Use Permit to a permitted use shall be denied.

Development Review Analysis:

The property owner has now submitted a zoning change application to amend Ordinance 2019-11 in order to remove condition number 1 read as follows: *The applicant shall add a note or illustrate that vehicular access connection to the south be provided when the adjacent property to the south is re-developed.*

The property owner for the Rapid Med property submitted this application to run concurrently with the application submitted by the property owner to the south for the Argyle Christian Academy.

This proposal is due to the fact that the property owner does not want to construct a cross-access fire lane connecting the two properties. The Denton County Emergency Services District #1 reviewed this request and recommends approval with no conditions since there is currently adequate fire access and hydrant on the property.

This does not preclude DCESD#1 from accessing fire access requirements in the future, as the need arises. The International Fire Code does not allow DCESD#1 to grant immunity to fire requirements into the future.

Public Hearing Notice Responses:

Letters were sent out to surrounding property owners within 200' of the subject property pursuant to the Texas Local Government Code, Subsection 211.006(d). Courtesy letters were also sent out to property owners within 1,000' of the subject property pursuant to the Town of Argyle Zoning Ordinance and a public hearing sign was posted on the subject property. Staff will provide an update regarding the responses received during the P&Z meeting.

Staff Recommendation:

Staff recommends approval of the Zoning Change Amendment for the elimination of the vehicular access condition listed in Ordinance 2019-11.

Attachments:

Exhibit A – Ordinance 2019-11

EXHIBIT A

TOWN OF ARGYLE, TEXAS ORDINANCE NO. 2019-11

AN ORDINANCE OF THE TOWN OF ARGYLE, TEXAS, PROVIDING FOR A ZONING CHANGE FROM A (AGRICULTURAL) TO VC-MU (VILLAGE CENTER MIXED USE) FOR COOK ST. RESTAURANT, BEING APPROXIMATELY 1.143 ACRES OF LAND, LEGALLY DESCRIBED AS A PORTION OF STEPHEN A. CHAMBERS SURVEY, ABSTRACT NO. 308A, AND BEING LOCATED ON THE EAST SIDE OF U.S. HWY. 377, AND SOUTH OF COOK STREET, LOCATED IN THE TOWN OF ARGYLE, DENTON COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

- WHEREAS,** The applicant G&A McAdams, on behalf of the owner, ERI-Cook Street LLC, have applied for a zoning change from A (Agricultural) to VC-MU (Village Center Mixed Use) for Cook St. Restaurant, being approximately 1.143 acres of land, legally described as a portion of Stephen A. Chambers Survey, Abstract No. 308A, and being located on the east side of U.S. HWY 377, and south of Cook Street, located in the Town of Argyle, Denton County, Texas as shown and described on the attached Exhibits "A-1" and "A-2" incorporated herein by reference as if copied in its entirety; and
- WHEREAS,** the Town of Argyle deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the Town, to enact a comprehensive zoning ordinance; and
- WHEREAS,** the Town Council has appointed a Planning and Zoning Commission to make recommendations on requested changes to the boundaries of the various original zoning districts along with appropriate regulations to be enforced therein; and
- WHEREAS,** Article III, Zoning, of the Town Development Standards, divides the Town into districts and contains regulations pertaining to such districts in accordance with a comprehensive plan and is designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public facilities; and
- WHEREAS,** the Planning and Zoning Commission has given reasonable consideration to, among other things, the character of the districts and their suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the Town; and

WHEREAS, the Planning and Zoning Commission of the Town of Argyle and the Town of Argyle Town Council, in full compliance with State Law with reference to changes to zoning classifications under the Town Development Standards and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the Town of Argyle is of the opinion that said zoning change should be granted, as set forth herein; and

WHEREAS, the Town Council finds that the zoning change is consistent with the Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ARGYLE, TEXAS:

SECTION 1. All matters stated hereinabove are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2: That the Comprehensive Zoning Ordinance of the Town of Argyle, Texas, be, and the same is hereby amended by amending the Zoning Map of the Town of Argyle so as to change the zoning on the tracts of land, described in Exhibits "A-1" and "A-2" (the "Property"), to VC-MU (Village Center Mixed Use) as depicted in Exhibit "A-3" and establishing the development standards as set forth in Exhibit "B."

SECTION 3. The development shall meet or exceed all requirements for the base zoning types VC-MU (Village Center Mixed Use), with deviations from the Subdivision Ordinance and Zoning Ordinance as set forth in Exhibit "B."

SECTION 4. That all uses authorized by the development shall conform to the development standards in Sections 2 and 3 of this Ordinance, the Master Development Plan as shown in Exhibit "C" and the Town of Argyle Comprehensive Zoning Ordinance and Subdivision Ordinance with the following special conditions:

1. The applicant shall add a note or illustrate that vehicular access connection to the south be provided when the adjacent property to the south is re-developed.
2. The variance request to waive the required sidewalk along US HWY 377 shall be allowed.
3. The variance request to change Alcohol Sales from a Specific Use Permit to a permitted use shall be denied.

SECTION 5. That any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the Town of Argyle, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2000.00) for each offense.

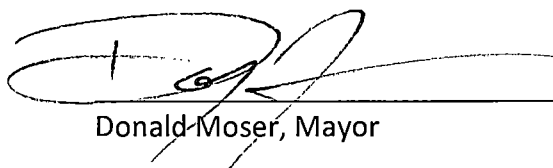
SECTION 6. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or portion thereof, other than that portion so decided to be invalid or unconstitutional. In the event of conflict with Comprehensive Zoning Ordinance, Subdivision Ordinance and regulations, this ordinance shall prevail.

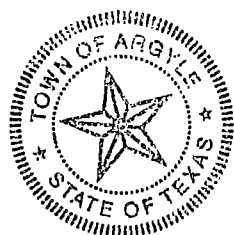
SECTION 7. Injunctive Relief. In addition to and accumulative of all other penalties, the Town shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 8. Effective Date: This ordinance shall take effect immediately from and after its passage, and publication of the caption of said ordinance, as the law in such case provides.

DULY PASSED BY THE TOWN COUNCIL OF THE TOWN OF ARGYLE, TEXAS, on this the 23rd day of April, 2019.

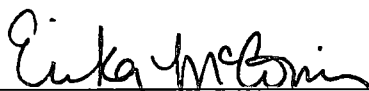
APPROVED:

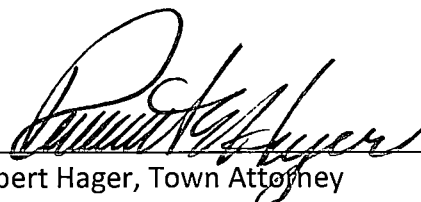

Donald Moser, Mayor



ATTEST:

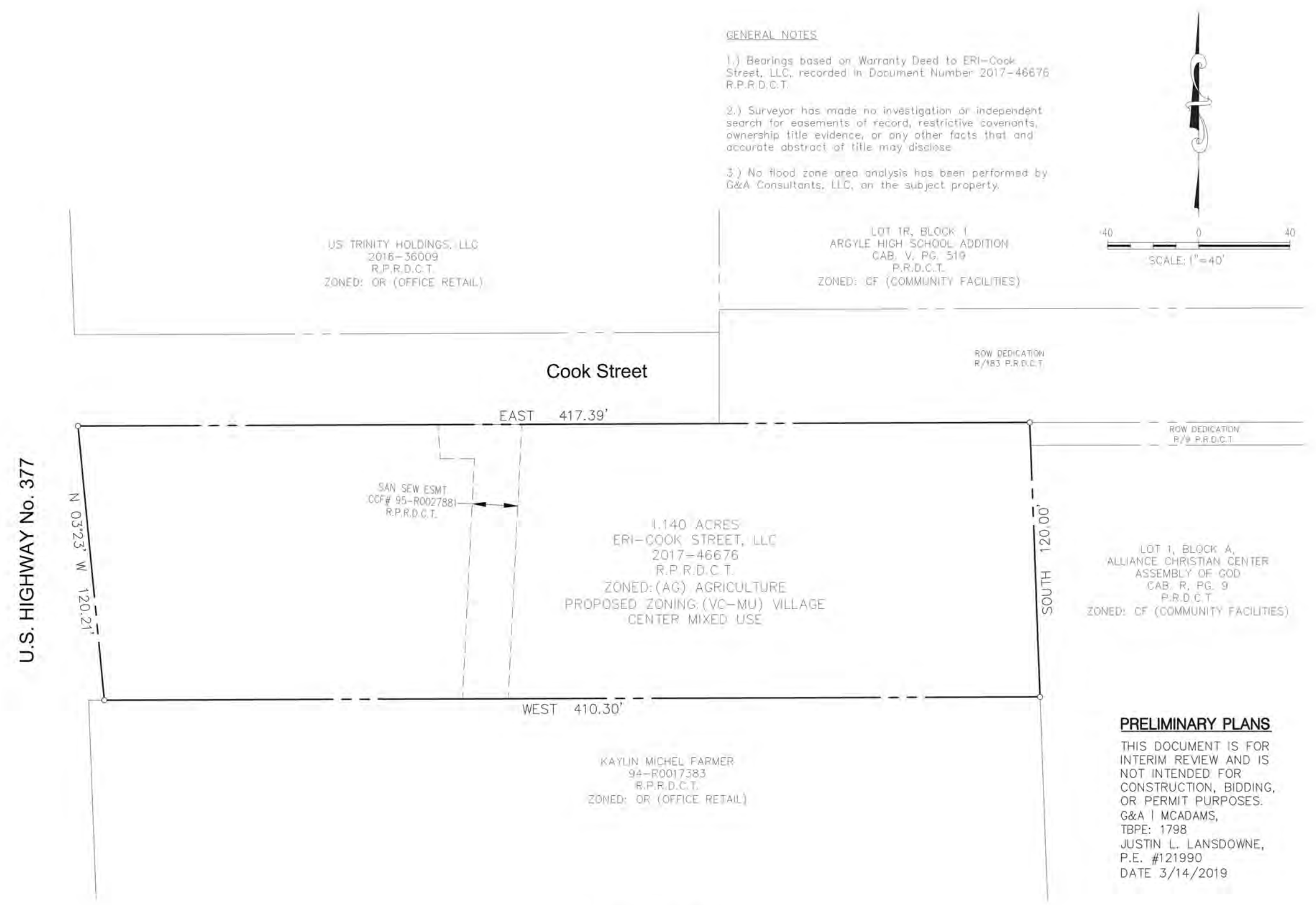
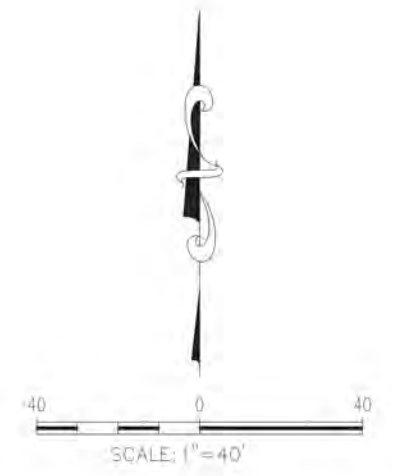
APPROVED AS TO FORM:


Erika McComis, Town Secretary


Robert Hager, Town Attorney

GENERAL NOTES

- 1.) Bearings based on Warranty Deed to ERI-Cook Street, LLC, recorded in Document Number 2017-46676 R.P.R.D.C.T.
- 2.) Surveyor has made no investigation or independent search for easements of record, restrictive covenants, ownership title evidence, or any other facts that an accurate abstract of title may disclose
- 3.) No flood zone area analysis has been performed by G&A Consultants, LLC, on the subject property.



PRELIMINARY PLANS

THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.
 G&A | MCADAMS,
 TBPE: 1798
 JUSTIN L. LANSDOWNE,
 P.E. #121990
 DATE 3/14/2019

EXHIBIT 1
Zoning Boundary Exhibit
Cook St.

Town of Argyle
 Denton County, Texas

EXHIBIT 2

Metes and Bounds Description

Cook Street

All that certain tract of land situated in the S. A. CHAMBERS SURVEY, ABSTRACT NO. 308, Denton County, Texas, and being a part of Tract 3, W.C. ORR'S SUBDIVISION, an addition to the City of Argyle, Denton County, Texas, according to the Plat recorded in Volume. I, Page 10, Plat Records, Denton County, Texas, being more particularly described by metes and bounds as follows:

Beginning at a 5/8 inch iron at the intersection of the East line of U.S. Highway No. 377 (a 120 foot R.O.W.) and the South line Cook Street (a 40 foot R.O.W.) said point being South 03 degrees 23 minutes East, 202.28 feet from the Northwest corner of said Tract 3;

THENCE East, along the South line of said Cook Street, at 177.39 feet pass a 1/2 inch iron found, and continuing, at 80.00 feet pass a 1/2 inch iron found, and continuing, in all, 417.39 feet to a 3/8 inch iron found;

THENCE South, 120.00 feet to a 1/2 inch iron set;

THENCE West, at 160.00 feet pass a 1/2 inch iron set, and continuing, at 80.00 feet pass a 1/2 inch iron set, and continuing, in all, 410.30 feet to a 1/2 inch iron set in the East line of said U.S. Highway No. 377;

THENCE North 03 degrees 23 minutes west, along the East line of said U.S. Highway No. 377, a distance of 120.21 feet to the Point of Beginning and containing 1.140 acres (49,662 square feet) of land, more or less.





Purpose and Intent

Cook Street Restaurant is a 1.143 acre site located at the southeast corner of Cook Street and US 377. Proposed is one building along the US 377 frontage for use as a restaurant. The site is bounded by Cook Street, US 377 and existing development to the south and east. The development is an infill property based on its size and existing conditions.

As indicated in the Town's Comprehensive Plan, this property is within the Form Based Code (FBC) area. The character zones, as shown on the Framework Plan in Appendix A of the Town's FBC ordinance is T4, Village Center. This Master Development Plan (MDP) serves as a regulatory document on how his development will meet the intent of the FBC requirements. Any conflict between the FBC ordinance and this MDP, this MDP shall prevail.

A variance is requested to not install a sidewalk along US 377. The rationale is due to the impending expansion and construction of US 377.

Description of Land Uses (Character Zones)

There is one character zone planned for Cook Street Restaurant development; specifically, due to the small size of the site. The location is within the Village Center character zone that is described in the Comprehensive Plan as:

"T4 Village Center land uses are a mix of residential and commercial, with some public facilities. This medium density, pedestrian-oriented district will capture value from the intersection of FM 407 and US 377."

The corresponding zoning district of the Village Center land use is stated in the Town's Code of Ordinances as follows:

"Village Center: The Village Center FB Zoning District is intended for a mix of neighborhood-oriented commercial, residential, and public/civic land uses. It is intended to be lower in intensity than the Regional Center area and takes advantage of the intersection of regional corridors such as US 377 and FM 407. The Character Zones as per the ZFP recommended for the Village Center (see Appendix C) are:

- i. Village Center Mixed Use: This zone is intended to provide for a range of neighborhood serving retail, office, and service uses in a walkable neighborhood context. Primary automobile access shall be from US 377 or FM 407, but will also have pedestrian and automobile access within the zone and to adjacent zones. It shall be generally located closer to the US 377 or FM 407 frontage in order to take advantage of visibility from these regional roadways."

The proposed development meets all the requirements of the Land Use and Zoning District overviews. The single building proposed will be one story with appropriate architecture and materials as provided in Section



14.3.53-7 The intent of the Exhibit 6 is to show the general architectural theme, colors and material; the site plan will comply with all architectural standards. Extensive landscaping areas and treatments will enhance that development. The site has adequate parking for the use.

Land Use Acreage Summary

Gross Acreage	1.143 Acres
Net Acreage	1.143 Acres

Schedule of Uses

The proposed uses of Cook Street Restaurant shall be allowed as listed in Table 6.1, Schedule of Uses, that is in Section 14.3.53-6 of the Town’s FBC ordinance.

FB Zoning Districts	Village Center
Character Zones	VC-MU
Land Use	
Commercial Uses (Office, Retail, Sales and Service Uses)	
Retail Sales or Service (personal service uses) with no drive through facility (no alcohol sales). Excluded from this category are retail sales and service establishments geared towards the automobile	P
Auto-related Sales or Service establishments	P
Finance, Insurance, and Real Estate establishments including banks, credit unions, real estate, and property management services, with no drive through facility	P
Offices for business, professional, administrative, and technical services such as accountants, architects, lawyers, doctors, etc.	P
Research laboratory headquarters, laboratories and associated facilities	P
Food Service Uses such as full-service restaurants, cafeterias, bakeries and snack bars with no drive through facilities[.] Included in this category is café seating within a public or private sidewalk area with no obstruction of pedestrian circulation. Also included in this category is the sale of alcoholic beverages (with food service).	P
Alcohol Sales (retail, restaurant, etc.)	P*
Pet and animal sales or service (incl. vet clinic)	P
Any permitted use with a drive through facility	P
Arts, Entertainment, and Recreation Uses	
Amusement or theme park establishment (indoor) including bowling alleys, bingo parlor, games arcades, skating, etc.	
Amusement or theme park establishment (outdoor) including miniature golf, go-cart tracks, etc.	
Art galleries	P
Art, antique, furniture or electronics studio (retail, repair or fabrication; excludes auto electronics sales or service)	P



COOK STREET RESTAURANT > MDP

Theater, cinema, dance, or music establishment	
Museums and other special purpose recreational institutions	
Fitness, recreational sports, gym, or athletic club	P
Parks, greens, plazas, squares, and playgrounds	P
Educational, Public Administration, Health Care and Other Institutional Uses	
Business associations and professional membership organizations	P
Child day care and preschools	P
Schools, libraries, and community halls	P
Universities and Colleges	
Technical, trade, and specialty schools	
Hospitals and nursing establishments	
Civic uses	P
Social and fraternal organizations	P
Social services and philanthropic organizations	
Public administration uses (including local, state, and federal government uses, public safety, health and human services)	P
Religious Institutions	P
Funeral homes	
Residential Uses	
Home Occupations	P
Multifamily residential (residential units allowed on all floors)	
Residential Lofts (Upper floor residential units only)	
Single-family residential attached dwelling unit (Townhomes) (includes dwelling units detached by no more than 3')	
Single-family residential detached dwelling unit	
Accessory residential unit	
Live-work unit	
Manufacturing, transportation, communication, and utility Uses	
Cottage Manufacturing uses	
Food and textile product manufacturing	
Wood, paper, and printing products manufacturing	
Machinery, electronics, and transportation equipment manufacturing	



Miscellaneous manufacturing and assembly (included in this category are jewelry, silverware, equipment, electronics, personal metal goods, flatware, dolls, toys, games, musical instruments, office supplies, and signs.)	
Wholesale trade establishment	
Warehouse and storage services	
Transportation services (air, rail, road, truck and freight)	
Publishing (newspaper, books, periodicals, software)	
Motion picture and sound recording	
Telecommunications and broadcasting (radio, TV, cable, wireless communications, including stealth telecommunications towers, telephone, etc)	
Telecommunications Tower (standards in TDS shall apply)	SUP
Information services and data processing	
Other Uses	
Hotels, full and limited service	SUP
Parking, surface (primary use of property)	
Parking, surface (accessory use of property)	P
Parking, structured	P
Private attached garage (residential)	
Private detached garage (residential)	
Veterinary clinic	P
Community garden	
Antennas including cell, accessory, and mounted on top of buildings.	SUP

- P = Permitted Use
- "blank cell" = Not Permitted
- SUP = Specific Use Permit
- *= Variance request as part of this MDP

Development Standards

This section establishes the development standards for Cook Street Restaurant. Changes to the base development standards have been highlighted. In addition to the following text, the exhibits attached include:

- Exhibit 1 Zoning Boundary Exhibit
- Exhibit 2 Metes and Bounds Description



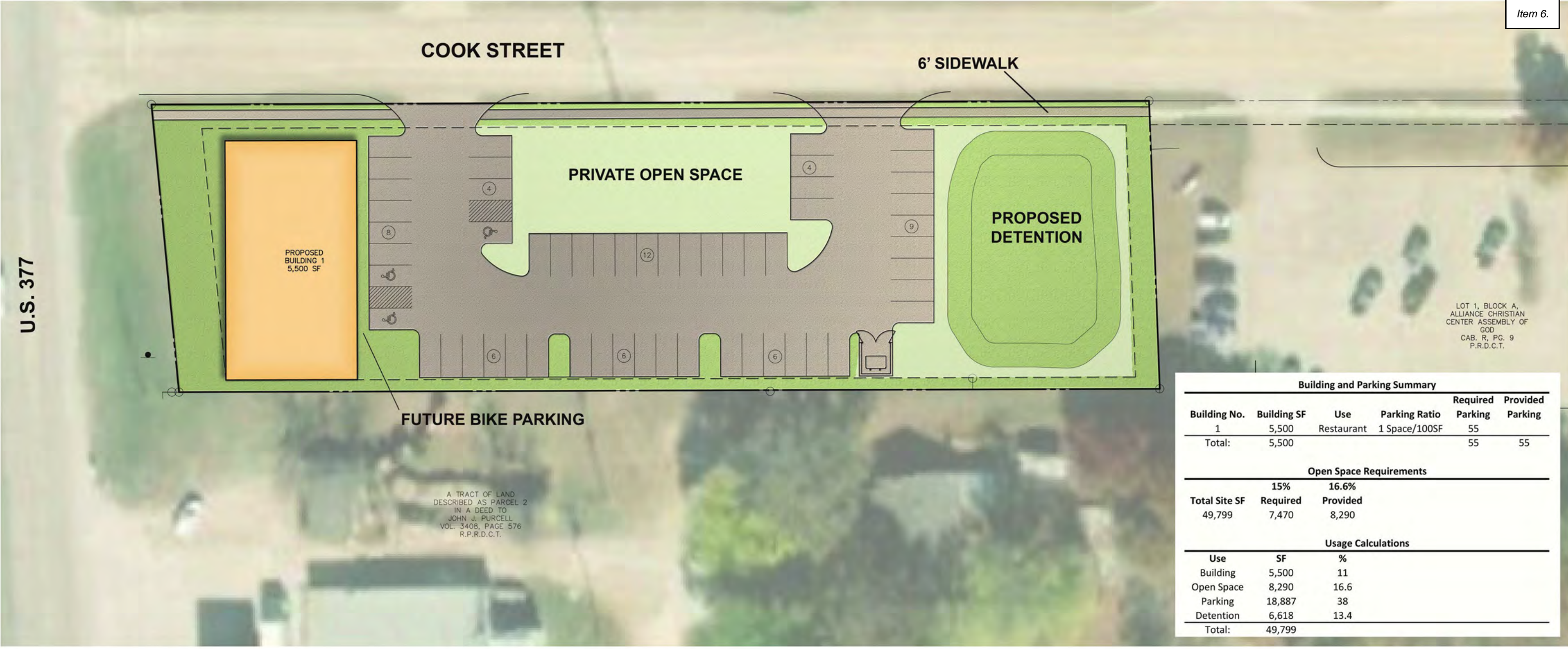
COOK STREET RESTAURANT > MDP

- Exhibit 3 Existing & Proposed Framework Plan
- Exhibit 4 Development Plan
- Exhibit 5 Concept Landscape Plan
- Exhibit 6 Architectural & Materials Imagery
- Exhibit 7 Concept Utility Plan

Development Standard	Village Center - Mixed Use
1.0 Building and Site Standards	
a. Principal Building Height*	3 stories or 40' by right
* Building height shall be measured in number of stories. Habitable attics and mezzanines shall be excluded from the height calculation as long as they do not exceed 50% of the floor area of a typical floor in the same building.	
b. Setbacks and build-to zones**	
Front – Type "A" Frontages (377)	Min. setback = 20'; Max. setback = 100'
Type "B" Frontages	Min. setback = 5'; Max. setback = 20'
Side	0'
Rear	0'
c. Minimum Building Frontage	
Type "A" Frontages	70%
All other frontages	None required
**Minimum and/or maximum setback standards shall be proposed by the applicant for each character zone based on the above criteria and Development Standards established in Section 14.3.53-7.B.7 of this Section.	
◆ Corner building facades at street intersections shall be built to the build-to-zone for a minimum of 30' from the corner along both streets or the width of the corner lot, whichever is less. This standard shall apply to any street intersection with a Type "A" Frontage (even if the cross street has a Type "B" Frontage designation).	
d. Accessory buildings	Permitted Standards in TDS Section 14.3.68 shall apply.
e. Principal building orientation	Buildings shall be oriented to the adjacent street.
f. Building facade & architectural design standards	Refer to Exhibit 6.
2.0 Block and Lot Standards	
a. Block Type	regular
b. Block Perimeter	Max. block perimeter = 2,000
c. Type "A" Frontage Designation (Frontages along civic/open spaces shall be considered Type "A" frontage)	Minimum of 15% of all new block frontages to be designated as Type "A" Frontage
d. Lot Area	Flexible
e. Lot Width and Depth	Flexible
f. Maximum Lot Coverage	Flexible
g. Maximum Impervious Cover	70%



3.0 Street Design Standards	
N/A, no new streets proposed	
4.0 Streetscape Standards (Shall not include US 377 and FM 407 Frontages)	
a. Sidewalks/Trails/ Walkways	10 feet (min. along Type "A" frontages) 5 feet (minimum along all other streets except alleys)
b. Planter/Planting Strip Type	Required - Tree wells or Planters
c. Planter/Planting Strip width	6 feet (min.) wide tree well or planting strip
d. Street trees	Required – 1 tree per 30' frontage
5.0 Open/Civic Space Standards	
a. Open/Civic Space	Required – 15% minimum
6.0 Parking & Screening Standards	
a. Off-street parking	Standards in TDS Section 14.3.66 shall apply.
b. Off-street loading	Standards in TDS Section 14.3.66-4 shall apply.
c. Screening	
1. Trash/recycling receptacles	Screened from the public ROW
2. Other utility equipment	Standards in TDS Subsection 14.3.53-7.B.8 & 14.3.53-7.B.9 shall apply.
3. Loading spaces	Standards in TDS Section 14.3.67 shall apply.
4. Surface parking areas	Standards in TDS Section 14.3.5377.B.9 shall apply.
7.0 Landscape and Streetscape	
a. Landscaping#	
1. Landscape buffer between surface parking and sidewalks/trails and streets (except alleys)	Refer to Exhibit 5
2. Parking lot minimum interior landscaping	Refer to Exhibit 5
#The applicant shall submit a Landscape Concept Plan, which shall be reviewed as part of the MDP and must be approved by at time of Master Development Plan. The requirements for the landscape concept plan are outlined in section 14.3.53-7.B.12 of this Section. Information provided at the MDP phase may be schematic meeting the design intent of the proposed development. Detailed landscaping plans shall be required at the site plan stage for all nonresidential development.	
b. Lighting	All lighting within the development will meet the minimum lighting standards of the Town Development Standards.
1. Street Lighting	N/A
2. Building entrances	
3. Parking areas, trails, and streets	
8.0 Signs	
Standards in Article IV, Section 14.4.1 of the Town Development Standards shall apply.	



LOT 1, BLOCK A,
ALLIANCE CHRISTIAN
CENTER ASSEMBLY OF
GOD
CAB. R, PG. 9
P.R.D.C.T.

Building and Parking Summary				Required	Provided
Building No.	Building SF	Use	Parking Ratio	Parking	Parking
1	5,500	Restaurant	1 Space/100SF	55	55
Total:				55	55

Open Space Requirements		
	15%	16.6%
Total Site SF	Required	Provided
49,799	7,470	8,290

Usage Calculations		
Use	SF	%
Building	5,500	11
Open Space	8,290	16.6
Parking	18,887	38
Detention	6,618	13.4
Total:	49,799	

EXHIBIT 4
Development Plan
Cook St.

Town of Argyle
Denton County, Texas





LOT 1, BLOCK A,
ALLIANCE CHRISTIAN
CENTER ASSEMBLY OF
GOD
CAB. R. PG. 9
P.R.D.C.T.

Building and Parking Summary				Required	Provided
Building No.	Building SF	Use	Parking Ratio	Parking	Parking
1	5,500	Restaurant	1 Space/100SF	55	
Total:				55	55
Open Space Requirements					
	15%	16.6%			
Total Site SF	Required	Provided			
49,799	7,470	8,290			
Usage Calculations					
Use	SF	%			
Building	5,500	11			
Open Space	8,290	16.6			
Parking	18,887	38			
Detention	6,618	13.4			
Total:	49,799				

EXHIBIT 5
Concept Landscape Plan
Cook St.

Town of Argyle
Denton County, Texas



Item 6.



EXHIBIT 6
Architectural & Materials Imagery
Cook St.

Town of Argyle
Denton County, Texas



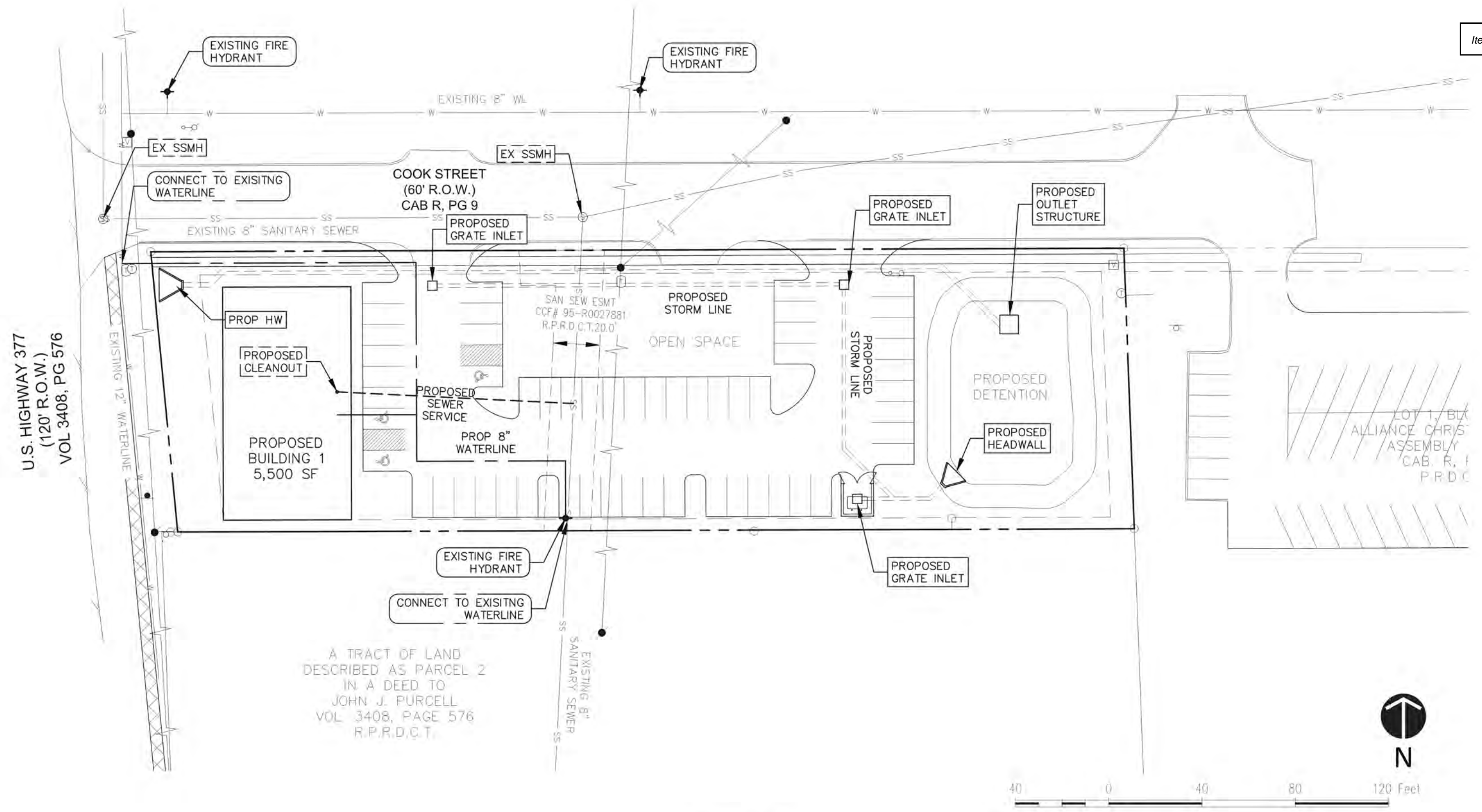


EXHIBIT 7
 Concept Utility Plan
 Cook St.

Town of Argyle
 Denton County, Texas

DRC MEDIA COMPANY

NEWS & ADVERTISING SOLUTIONS
One company delivers it all.

3555 Duchess Drive
P.O. Box 369
Denton, TX 76202
940-387-3811

Publication(s): Denton Record-Chronicle

PROOF OF PUBLICATION

Being duly sworn (s)he is the Publisher/authorized designee of Denton Record-Chronicle, in City of Denton/surrounding areas in Denton County; Newspaper of general circulation which has been continuously and regularly published for a period of not less than one year preceding the date of the attached notice, and that the said notice was published in said newspaper Denton Record-Chronicle on the following dates below:

07/12/2019 07/13/2019

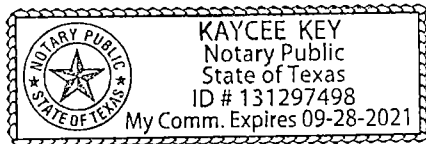
(signature of Authorized Designee)
Subscribed and sworn to before me
this 13th day of July, 2019 by

Chris Brumfield

(printed name of Designee)
Witness my hand and official seal:

(signature name of Designee)
Notary Public, Denton County, Texas

ARGYLE, TOWN OF
P O BOX 609
ARGYLE TX 76226



Public Notice

ORDINANCE NO. 2019-11

AN ORDINANCE OF THE TOWN OF ARGYLE, TEXAS, PROVIDING FOR A ZONING CHANGE FROM A (AGRICULTURAL) TO VC-MU (VILLAGE CENTER MIXED USE) FOR COOK ST. RESTAURANT, BEING APPROXIMATELY 1.143 ACRES OF LAND, LEGALLY DESCRIBED AS A PORTION OF STEPHEN A. CHAMBERS SURVEY, ABSTRACT NO. 308A, AND BEING LOCATED ON THE EAST SIDE OF U.S. HWY. 377, AND SOUTH OF COOK STREET, LOCATED IN THE TOWN OF ARGYLE, DENTON COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

That any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Town Development Standards of the Town of Argyle, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF ARGYLE, TEXAS on this 23rd day of April, 2019.

drc 7/12 & 7/13/2019

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PLANNING AND ZONING COMMISSION STAFF REPORT

Meeting

Date: April 1, 2026

To: Chairman and Members of the Planning and Zoning Commission

From: Harrison Wicks, Director of Community Development

Subject: Public Hearing – Creation of Section 14.3.80 – Non-Fixed Food Establishments

Purpose:

Hold a public hearing and consider action on Ordinance 2026-15 amending (TDS-26-002) Article III, Zoning, of the Town of Argyle Town Development Standards regarding the creation of Section 14.3.80 – Non-Fixed Food Establishments and other related provisions in the Town Development Standards.

Background:

Town Council has directed staff to propose development standards for Non-Fixed Food Establishments, and include state and industry terms into the Town Development Standards.

Development Review Analysis:

The Town conducted a comparative review of private property food truck regulations in Denton, Little Elm, Lake Dallas, Lewisville, and Flower Mound. The analysis focused on zoning restrictions, permit requirements, fire and health inspections, operational standards, and property owner responsibilities.

Across all jurisdictions, mobile food vendors are required to obtain an annual mobile food establishment permit, maintain a valid Texas Sales Tax Permit, provide a commissary agreement, and hold appropriate food manager or food handler certifications.

Written authorization from the private property owner is universally required, and most cities mandate submission of a detailed site plan illustrating truck placement, setbacks, fire lanes, utilities, and surrounding structures.

Fire safety compliance is consistently enforced, including minimum 2A:10B:C fire extinguishers, Class K extinguishers for deep frying operations, and in some cases automatic fire suppression systems.

Health inspections are required prior to permit issuance, and several cities require vendors to submit updated itineraries when changing locations.

Key differences between municipalities primarily involve zoning limitations and proximity restrictions. Denton requires a Mobile Vendor Certificate of Occupancy if operating more than one hour at a single site and restricts vending to commercially zoned, developed properties.

Little Elm places responsibility on the host business to obtain a biannual permit and enforces strict setback requirements, including a 50-foot buffer from single-family residential dwellings.

Lake Dallas prohibits operation in single-family residential districts and enforces a 50-foot buffer from fixed restaurants, with operating hours generally limited to 7:00 a.m. to 10:00 p.m.

Lewisville strictly prohibits food truck sales on residential property, requires daily commissary reporting and storage, and enforces a 1,000-foot buffer from schools and certain events.

Flower Mound distinguishes between annual and temporary permits, requires Fire Marshal approval, and enforces a 600-foot school proximity restriction during school hours.

Collectively, these regulations demonstrate a regional approach emphasizing public health protection, fire safety, zoning compatibility, and structured oversight of private property vending.

Additionally, Texas House Bill 2844 will implement a phased statewide mobile food vendor licensing system beginning July 1, 2026, which may reduce duplication of local health permits.

Staff Recommendation:

Staff recommends approval of creating Section 14.3.80 – Non-Fixed Food Establishments, as presented.

Exhibits:

Exhibit A - Non-Fixed Food Establishment Standards

Exhibit B - Use Chart Matrix

Exhibit A

Sec. 14.3.80. Non-Fixed Food Establishments.

- A. The interpretation and application of the provisions of these regulations shall be held to be the minimum requirements for the promotion of public health, safety, and general welfare.

Sec. 14.3.80-1. General.

- A. Purpose. The purpose of this Section is to define and establish regulations governing Mobile Food Vendors (MFV), Food Vending Vehicles, and the use of property as a Mobile Food Vending Court or Mobile Food Vending Temporary Site.
- B. Definitions. The following terms, phrases, words and their derivation shall have the meaning given herein:

Food Vending Vehicle (FVV). Any vehicle that is a self-enclosed food service establishment (including catering trucks, trailers, push carts, and roadside vendors) that operates to store, prepare, display, serve, or sell food as a food service establishment and is designed to be readily movable. A food vending vehicle may be self- or otherwise-propelled or be vehicle-mounted. A food vending vehicle does not include a stand or a booth.

Host Business. A business that possesses a Certificate of Occupancy for permanent use and provides for an MFV Temporary Site.

Mobile Food Vendor (MFV). Any person who dispenses food or beverages from a food vending vehicle for immediate service or consumption. An MFV does not include any operation that is not readily moveable.

Mobile Food Vendor (MFV) Court. A development with a site plan approved for MFV Court operations on a continuous basis at the discretion of the property owner.

Mobile Food Vendor (MFV) Temporary Site. An improved, developed site that meets the requirement for business operations of FVV(s) on a temporary basis and limited duration.

Readily moveable. Able to easily move without delay or difficulty; free of alterations, attachments, additions, placement, or change in, under, or upon the mobile food unit that prevent or otherwise reduce the ability to easily move without delay or

difficulty. Readily moveable also includes any other requirements set forth by the regulatory authority.

Seasonal food establishments. A food establishment that operates at a fixed location for a period greater than fourteen (14) consecutive days, but less than thirty (30) consecutive days.

Temporary food establishments. A food establishment that operates for a period of no more than 14 consecutive days in conjunction with a single event or celebration.

- C. *Allowed Zoning Districts.* MFV Courts and MFV Temporary Sites are permitted where authorized under the Use Chart Matrix. Reference Sec. 14.3.62. - Use Chart Matrix to find where these uses are permitted/not permitted.
- D. *Exemption.* The regulations in this Article shall not apply to MFV operations on public or private property when such operations are:
 1. conducted during a special event permitted under Section 14.3.71-13; or
 2. conducted during a Town-sponsored or partnered event.

14.3.80-2. *Mobile Food Vendor (MFV) Courts.*

- A. *Site Plan.* It shall be unlawful for a person to operate an MFV Court or an FVV on a site unless the site owner first obtains approval of a site plan in accordance with Section 14.3.25-2 Site Plan of the Town Development Standards. The approved site plan remains valid and in effect during operation of the MFV Court.
- B. *Zoning requirements* for off-street parking, landscaping, screening, etc. will be based on the zoning district in which the MFV Court is placed.
- C. *Permits Required.* Persons responsible for operating an MFV Court shall first obtain all required permits and approvals necessary for the operation of the MFV Court.
- D. *Location.*
 1. An FVV shall not be located within ten (10) feet of any permanent structure, other FVV or other vehicle.
 2. An MFV Court shall not be located within the required setback lines of a property, as established by the zoning district, or ten (10) feet from interior property lines, whichever one is greater.
 3. The location, orientation and maximum number of FVV permitted shall be as indicated on the approved site plan.
 4. FVVs shall not be parked in required parking spaces, fire lanes, dedicated easements, drive aisles or other vehicular or pedestrian access ways.

E. *Sanitary Facilities.* Sanitary toilets and hand-washing facilities shall be required within two hundred fifty (250) feet of an MFV Court. Such facilities shall be available to the public during all periods of FVV operations. Sanitary facilities shall be provided in accordance with the then-applicable ICC code adopted by the Town.

F. *Refuse and Environment.*

1. Provisions for containment and removal of refuse shall be reflected, reviewed and approved as part of the site plan process and subject to the review and approval of the Town's Community Development Department.
2. MFV and MFV Court Site Owners are responsible for mitigation of all environmental impacts, including best management practices of illicit discharge elimination. A Waste Disposal Plan detailing waste disposal is required.

Sec. 14.3.80-3. *Mobile Food Vendor (MFV) Temporary Site.*

A. *Permits Required.*

1. It shall be unlawful for a person to operate an MFV Temporary Site unless the Site Owner first obtains approval of a Temporary Certificate of Occupancy and the Temporary Certificate of Occupancy remains valid and in effect at all times during operation of the MFV Temporary Site.
2. An MFV Temporary Site requires a Host Business. The Host Business shall be indicated on the application and signed by the Host Business' authorized representative.
3. Temporary Site Owner shall first obtain all required permits and approvals necessary for the operation of the MFV Temporary Site.

B. *Location.*

1. An FVV within a MFV Temporary Site shall not be located within ten (10) feet of any permanent structure, other FVV or other vehicle.
2. An MFV Temporary Site shall not be located within the required front yard setback line of a property, as established by the zoning district or applicable plat, ten (10) feet from interior property lines or one hundred (100) feet from a residential zoning district.
3. An FVV shall not be parked in required parking spaces, fire lanes, dedicated easements, drive aisles or other vehicular or pedestrian access ways.
4. An FVV shall not be located within twenty (20) feet of outdoor restaurant seating areas of a restaurant establishment, other than the Host Business, without the written consent of the restaurant owner or owner's authorized representative.

- C. *Parking.* The Temporary Site Owner shall provide off-street parking to accommodate both the Host Business and the MFV temporary site. Overflow parking on adjacent properties shall be permitted only with the written consent of the adjacent property owner or owner's authorized representative. Verified complaints of parking problems will result in denial of future MFV Temporary Site requests.
- D. *Time and Duration.*
1. A Temporary Certificate of Occupancy for an MFV Temporary Site shall be valid for thirty (30) days after issuance. An MFV can request one thirty (30) day extension to the Temporary Certificate of Occupancy for a maximum of sixty (60) days.
 2. A MFV Temporary Site shall be permitted to operate only during the posted business hours of the Host Business, except for mobilization and demobilization, which must be pursued with reasonable promptness.
- E. *Public Thoroughfare / Right of Way.* MFV Temporary Sites and parking of FVVs are not permitted on a public thoroughfare or right of way other than during Town-sponsored events as approved by the Town.
- F. *Sanitary Facilities*
1. Public sanitary toilets and public hand-washing facilities shall be required within two hundred (250) feet of an FVV. Such facilities shall be available to the public during all periods of FVV operations.
 2. In the event a Host Business has agreed to allow an associated MFV Temporary Site to use the Host Business' facilities for purposes of compliance with this section, then the Temporary Site Owner shall provide written evidence of that agreement at the time of application.
- G. *Refuse and Environment.* Provisions for containment and removal of refuse shall be provided by the MFV or Host Business. MFV and Temporary Site Owners are responsible for mitigation of all environmental impacts, including best management practices of illicit discharge elimination. A Waste Disposal Plan detailing waste disposal is required.

Sec. 14.3.80-4 *Appeal.*

1. Any appeal for an administrative decision issued in connection with the requirements of this Article must be in writing and received by the Director of Community Development within fifteen (15) days after the date of the written notice of such decision.

2. The Director shall hear and decide on an appeal that alleges error in an order, requirement, decision or determination made by an administrative official in the enforcement of this Article.
3. An appeal for the Director's decision shall be made to the Town Manager. An appeal for the Town Manager's decision shall be made to the Town Council. The Town Council decision shall be the final determination.

Sec. 14.3.62. - Use Chart Matrix.

EXHIBIT B

14.3.62-1

A. Use Chart Matrix.

Legend for Use Chart		A, Agricultural	SF-2.5, Single-Family Residential Estate	SF-1, Single-Family Residential Estate	SF-20, Single-Family Residential	SF-10, Single-Family Residential	SF-7, Single-Family Residential	SFA, Single-Family Attached Residential	MF, Multifamily Residential	MH, Manufactured Home	OR, Office Retail	LR, Local Retail	CR, Community Retail	VC, Village Center	OT-1, Old Town 1	OT-2, Old Town 2	CF, Community Facilities	BP, Business Park	PD, Planned Development	
P	Permitted in zoning district																			
	Prohibited in zoning district																			
S	Permitted in zoning district following approval of a Specific Use Permit (SUP)																			
Sec.	Permitted in PD, Planned Development District only																			
Sec.	Governed by indicated code section																			
No.	Use																			
	Mobile Food Vendor (MFV) Court												S						P	Sec. 14.3.51
	Mobile Food Vendor (MFV) Temporary Site												S						P	Sec. 14.3.51



PLANNING AND ZONING COMMISSION STAFF REPORT

Meeting

Date: April 1, 2026

To: Chairman and Members of the Planning and Zoning Commission

From: Harrison Wicks, Director of Community Development

Subject: Public Hearing – Amendments to Section 14.3.67 – Landscape Requirements

Purpose:

Hold a public hearing, consider and make a recommendation to Town Council on an ordinance amendment (TDS-26-003) to Article III, Zoning, of the Town of Argyle Town Development Standards regarding an amendment to Section 14.3.67 – Landscape Requirements and other related provisions in the Town Development Standards.

Background:

Town staff is proposing amendments to the Town's development standards for bufferyard requirements along FM 407, in order to increase the width of the bufferyard in the corridor in order to preserve the rural nature of the roadway.

Development Review Analysis:

Staff reviewed local ordinances to compare our standards for best practices. Flower Mound, Justin, and Roanoke rely more heavily on development-specific or updated regulatory frameworks.

Flower Mound's Land Development Regulation amendments allow compatible buffer adjustments and street buffer exceptions, with tree ratios generally calculated per frontage length and modifications subject to review procedures.

Justin's buffer standards are frequently tied to planned development districts, with examples including 15-foot buffers adjacent to single-family uses that may incorporate trails, berms, or screening walls.

Roanoke's publicly available site plan documentation reflects 5-foot landscape buffer applications with additional screening requirements for service and mechanical areas.

Denton and Northlake demonstrate the most structured compatibility-based buffering systems. Denton implements 10- to 30-foot compatibility buffers tied to adjacent land use intensity and reinforced through a buffer point system requiring combinations of evergreen plantings, canopy trees, shrubs, and optional screening walls or fencing.

Northlake applies tiered residential buffer options of 10, 25, or 50 feet depending on adjacency to collectors or major thoroughfares, with the highest tier requiring screening walls and layered vegetation.

Highland Village applies compatibility buffers typically ranging from 10 to 25 feet, incorporating canopy trees, evergreen screening, and optional masonry walls depending on adjacent land use intensity.

Overall, regulatory strictness is influenced not solely by numeric width, but by screening composition, planting density, compatibility triggers, and frontage treatment standards.

Staff Recommendation:

Staff recommends approval of the amendments to Section 14.3.67 – Landscape Requirements as presented.

Exhibits:

Exhibit A – Bufferyard Amendments

Sec. 14.3.67. - Landscape Requirements.

EXHIBIT A

Item 8.

14.3.67-1 Purpose. Landscaping is accepted as adding value to property and is in the interest of the general welfare of the Town. The provision of landscaped areas also serves to increase the amount of a property that is devoted to pervious surface area that, in turn, helps to reduce the amount of impervious surface area, stormwater runoff, and consequent non-point pollution in local waterways. Therefore, landscaping is hereafter required of new development.

14.3.67-2 Scope and Enforcement. The standards and criteria contained within this section are deemed to be minimum standards and shall apply to all new construction or any construction that increases the existing square footage of a structure by more than 30 percent. Additionally, any use requiring a specific use permit or a PD zoning designation must comply with these landscape standards unless special landscaping standards are otherwise provided for in the ordinance establishing the SUP or PD district. The provisions of this section shall be administered and enforced by the Town Administrator or designee. The landscape standards in this section apply to nonresidential and multifamily developments (including uses such as schools and churches within a residential zoning district), and minimal front yard landscaping standards apply to single-family and duplex residential developments and individual lots.

If at any time after the issuance of a certificate of occupancy, the approved landscaping is found to be not in conformance with the standards and criteria of this section, the Town Administrator (or his/her designee) shall issue notice to the owner, citing the violation and describing what action is required to comply with this section. The owner, tenant or agent shall have 30 days from date of said notice to establish/restore the landscaping, as required. If the landscaping is not established/restored within the allotted time, then such person shall be in violation of this ordinance.

14.3.67-3 Permits. No permits shall be issued for building, paving, grading or construction until a detailed landscape plan is submitted and approved by the Town Administrator, or his/her designee, along with the site plan and engineering/construction plans. A landscape plan shall be required as part of the site plan submission, as required in [Section 14.3.25](#). The landscape plan may be shown on the site plan (provided the site plan remains clear and legible) or may be drawn on a separate sheet. Prior to the issuance of a certificate of occupancy for any building or structure, all screening and landscaping shall be in place in accordance with the landscape plan.

In any case in which a certificate of occupancy is sought at a season of the year in which the Town Administrator, or his/her designee, determines that it would be impractical to plant trees, shrubs or ground cover, or to successfully establish turf areas, a temporary certificate of occupancy may be issued provided a letter of agreement from the property owner is submitted that states when the installation shall occur. All landscaping required by the landscaping plan shall be installed within six months of the date of the issuance of the certificate of occupancy.

14.3.67-4 Landscape Plan. Prior to the issuance of a building, paving, grading or construction permit for any use other than single-family detached or duplex dwellings, a landscape plan shall be submitted to the Town Administrator, or his/her designee. The Town Administrator, or his/her designee, shall review such plans and shall approve same if the plans are in accordance with the criteria of these regulations. If the plans are not in conformance, they shall be disapproved and shall be accompanied by a written statement setting forth the changes necessary for compliance.

Landscaping plans shall be prepared by a person knowledgeable in plant material usage and landscape design (e.g., landscape architect, landscape contractor, landscape designer, etc.) and shall contain the following minimum information:

- A. Minimum scale of one inch equals 50 feet or other such scale as approved by the Town Administrator, or his/her designee; show scale in both written and graphic form.
- B. Location, size and species of all trees to be preserved (do not use "tree stamps" unless they indicate true size and location of trees).
- C. Location of all plant and landscaping material to be used, including plants, paving, benches, screens, fountains, statues, earthen berms, ponds (to include depth of water), topography of site, or other landscape features.
- D. Species and common names of all plant materials to be used.
- E. Size of all plant material to be used (container size, planted height, etc.).
- F. Spacing of plant material where appropriate.
- G. Layout and description of irrigation, sprinkler, or water systems including location of water sources.
- H. Description of maintenance provisions.
- I. Name and address of the person(s) responsible for the preparation of the landscape plan.
- J. North arrow/symbol, and a small map showing where the property is located.
- K. Date of the landscape plan.

14.3.67-5 General Standards. The following criteria and standards shall apply to landscape materials and installation:

- A. All non-paved surfaces shall be completely covered with living plant material. Landscaping materials such as wood chips and gravel may be used under trees, shrubs and other plants, but shall not comprises significant portion of the total landscaped area. This requirement shall not apply to public or private playgrounds built in association with any nonresidential or park use.
- B.

Plant materials shall conform to the standards of the approved plant list for the Town of Argyle (see Section 14.5.50 of Article V "Tree Preservation" for the approved plant list) and the current edition of the "American Standard for Nursery Stock" (as amended), published by the American Association of Nurserymen. Grass seed, sod and other material shall be clean and reasonably free of weeds and noxious pests and insects.

- C. Canopy trees required pursuant to this Section 14.3.67 shall meet the following minimum criteria:
1. A minimum trunk diameter of six inches (measured four and one-half feet above the ground) and ten feet in height at time of planting.
 2. All new trees shall be provided with a permeable surface under the drip line a minimum of five feet by five feet.
- D. Understory/ornamental trees required pursuant to this Section 14.3.67 shall meet the following minimum criteria:
1. A minimum of four inch (measured four and one-half feet above the ground) and ten feet in height at time of planting.
 2. All new trees shall be provided with a permeable surface under the drip line a minimum of five feet by five feet.
- E. Shrubs required pursuant to this Section 14.3.67 shall meet the following minimum criteria:
1. Shrubs variety shall be a minimum of five gallons and two feet in height when measured immediately after planting.
 2. Hedges, where installed for buffering purposes, shall be planted and maintained so as to form a continuous, unbroken, solid visual screen which will be at least six feet high within three years after time of planting (except for parking lot/headlight screens, which shall form a continuous, solid visual screen three feet high within two years after planting).
- F. Vines not intended as ground cover shall be a minimum of two feet in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet landscape screening requirements as set forth.
- G. Grass areas shall be sodded, plugged, sprigged, hydro-mulched and/or seeded, except that solid sod shall be used in swales, earthen berms or other areas subject to erosion.
- H. Ground covers used in lieu of grass in whole and in part shall be planted in such a manner as to present a finished appearance and reasonably completed coverage within one year of planting.
- I. All landscaped areas shall be equipped with an automatic, underground irrigation system with freeze and moisture sensors to prevent watering at inappropriate times. Landscaped areas having less than ten square feet in area may be irrigated by some other inconspicuous method. If appropriate xeriscape planting techniques are utilized, the Town Council may

waive the requirement for an underground irrigation system at the time of site plan approval. However landscaping shall be required to be maintained in a healthy, living and growing condition, and any irrigation devices shall not be visible from public streets or walkways.

- J. Earthen berms shall have side slopes not to exceed 33.3 percent (three feet of horizontal distance for each one foot of vertical height). All berms shall contain necessary drainage provisions as may be required by the Town's Engineer.
- K. The planting requirements specified herein shall not be cumulative and planting materials required to meet one section of the ordinance may be credited toward the requirements to meet other sections of the ordinance. For example, tree plantings required to meet the bufferyard standards may also be credited toward the tree planting requirements for the perimeter planting requirements for off-street parking and vehicular use areas.

14.3.67-6 Minimum Landscaping Requirements for Nonresidential and Multifamily Developments.

- A. The following percentages of landscaping coverage are the minimum required for all properties that are subject to this section.

Zone	% Landscaping
OR	20
LR	20
CR	25
CF	25
BP	20

- B. Landscaped areas include all areas that are planted. Areas that are retained in a natural state may be included, if they are comprised of native or non-invasive species and are maintained in a weed-free condition.
- C. Tree canopy is measured by computing the area that the mature canopy will encompass, based on the standard tree list in Section 14.5.50 of Article V "Tree Preservation." Mature canopies shall be estimated for existing trees on-site. Any tree not on the tree list shall be estimated by use of the American standards for nursery stock.
- D.

Landscaping in the adjacent public right-of-way may be counted toward meeting the overall landscaping requirements on a case-by-case basis, if approved by the Town Council.

- E. The percentages specified in this section are the minimum required. At times, more landscaping or tree canopy will be required to meet the needs of the other sections of the landscaping standards, such as screening or parking areas, landscaping of setback areas, and providing usable outdoor space.
- F. With the exception of athletic fields, golf courses, and playgrounds, all areas, which are not used for building or parking, are required to be landscaped, and where adequate room exists, all landscaped areas are required to contain trees.
- G. Landscaping design shall include a variety of deciduous and evergreen trees and shrubs and flowering plant species well adapted to the local climate.
- H. *Street Trees*. All development fronting on public or private streets, excepting alleys, shall be required to plant street trees in accordance with the following standards. The Town Administrator, or his/her designee, may approve alternative plans due to special conditions, which may, for reasons such as safety, affect the ability to meet these standards:
 - 1. Street trees shall be located between the street and sidewalk, except in cases where there is a designated planting strip in the right-of-way, or the sidewalk is greater than eight feet wide and designated to accept trees in tree wells.
 - 2. *Spacing, Placement, and Pruning of Street Trees*.
 - a. Street trees shall be planted at the rate of one tree for every 30 feet, or major fraction thereof, of street frontage. Street trees shall be planted at a regular interval along the street frontage, and shall be of the same species within any specific block.
 - b. Street trees shall not be planted closer than 25 feet from the curblines of intersections of streets or alleys, and no closer than ten feet from private driveways (measured at the back edge of the sidewalk), fire hydrants, or utility poles.
 - c. Street trees shall not be planted closer than 20 feet to light standards. Except for public safety, no new light standard location shall be positioned closer than ten feet to any existing street tree, and preferably such locations will be at least 20 feet distant.
 - d. Street trees shall not be planted closer than six feet from the face of the curb except at intersections where it shall be five feet from the curb in a curb return area.
 - e. Where there are overhead power lines, tree species are to be chosen that will not interfere with those lines.
 - f. Street trees shall not be planted within four feet of any permanent hard-surface paving or walkway. Sidewalk cuts in concrete for street trees shall be at least 64 inches; however, larger cuts are encouraged because they allow additional air and

water into the root system and add to the health of the tree. Space between the tree and the hard surface may be permeable, non-permanent hard surfaces such as iron grates, bricks on sand, or paver blocks.

3. Existing trees may be used as street trees if there will be no damage from the development that will kill or weaken the tree. Sidewalks of variable width and elevation may be utilized to save existing trees, subject to approval by the Development Review Committee.
 4. Street trees shall be maintained by the adjoining property owner.
 5. Street trees shall include irrigation, root barriers, and generally conform to the standards established by the Town of Argyle.
- i. **Bufferyards.** Bufferyards shall be required in accordance with this section to separate different land uses from each other and to eliminate or minimize potential nuisances such as dirt, litter, noise, glare, signs, and unsightly buildings or parking areas, or to provide spacing to reduce the adverse impacts of noise, odor or danger from fire or explosions. Both the amount of land and the type and amount of planting and specified structures for each bufferyard are designed to lessen nuisances between adjacent land uses or between a land use and a public road.
1. **Location.** Bufferyards shall be located within and along the outer perimeter of a lot or boundary line. Bufferyards may overlap drainage and/or utility easements; however, plantings shall not impede the flow of water within a drainage easement. Bufferyards shall not be located on any portion of an existing or dedicated public street or right-of-way.
 2. **Bufferyard Requirements.**
 - a. The table below indicates the type of bufferyard required between two adjacent parcels. The letter designations contained in the table refers to the various bufferyards described in c. below.

Zoning of Developing Tract	Zoning of Adjacent Tract				
	A, SF-2.5, SF-20, SF-10	SF-7, 2F, SFA, MF, MH, OT-2	OR, LR, VC, OT-1	CR	BP
A, SF-2.5, SF-20, SF-10	*	*	*	*	*
SF-7, SFA, MF	F	A	A	*	*

Item 8.

MH	F	D	A	*	*
OT-1, OT-2	AA	AA	*	*	*
OR, LR, VC	F	F	*	*	*
CR, CF	F	F	A	*	*
BP	F	F	F	F	A

b. The table below indicates the type of bufferyard required adjacent to streets. The letter designations contained in the table refers to the various bufferyards described in c. below.

Zoning of Developing Tract	Frontage on FM 407*	Frontage on I.H. 35 or US Hwy 377	Frontage on Thoroughfares/Coll ectors		Frontage on Residenti al Street
	*This excludes the portion of FM 407 adjacent to the Town Center District, located from the east side of US Hwy 377 to the west side of Ben Boyd Rd		Across from Commercial/ Industrial	Across from Residential	
A, SF-2.5, SF-20, SF-10	E	B	B	B	*
SF-7, SFA, MF	E	C	A	A	A
MH	E	C	B	C	D
OT-1, OT-2	E	B	B	B	B
OR, LR, VC	E	E	E	E	E
CR, CF	E	D	E	E	E
BP	E	D	E	E	E

In addition to the standards as specified herein, residential subdivisions that back to a collector or an arterial street shall provide an F screening wall along the street frontage.

- c. *Required Bufferyard Elements.* The tables below indicates the elements to be incorporated into each of the specified bufferyards.

Table 1:

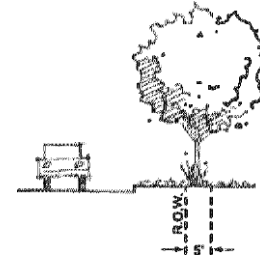
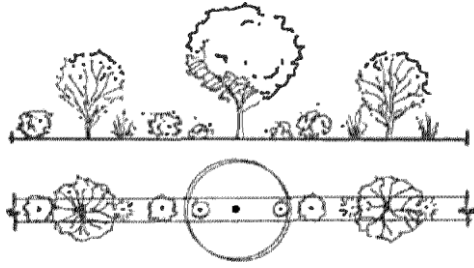
Bufferyard	Minimum Width	Required Planting Materials per 100 Linear Feet			Required Structure	
		Canopy Trees	Understory Trees	Shrubs	Type	Minimum Height
A	5'	1	2	8	None	None
AA	10'	1	2	8	Masonry Wall	8'
B	10'	2	3	10	None	None
C	10'	3	4	12	None	None
D	10'	4	5	18	None	None
E	50'	4	8	12	None	None
F	50'	4	8	12	Masonry wall	8'

Table 2:

Item 8.

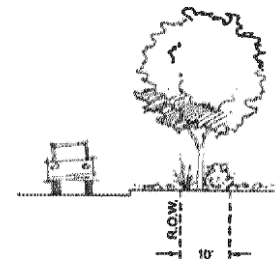
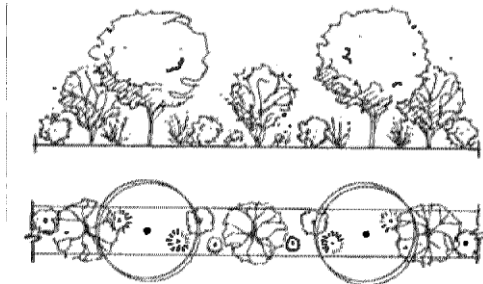
Buffer Yard 'A'

- 5-foot min. width
- Min. 1 canopy tree
- Min. 2 understory trees
- Min. 8 screening shrubs
- No fence or berm required



Buffer Yard 'B'

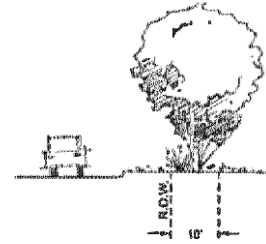
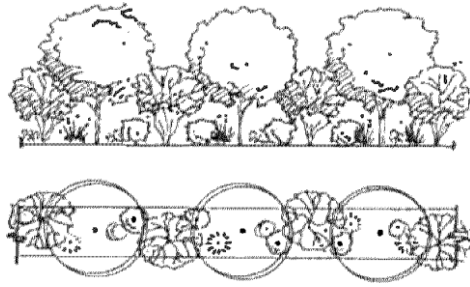
- 10-foot min. width
- Min. 2 canopy trees
- Min. 3 understory trees
- Min. 10 screening shrubs
- No fence or berm required



Item 8.

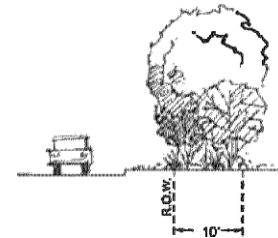
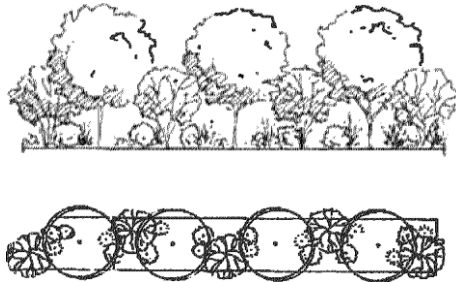
Buffer Yard 'C'

- 10-foot min. width
- Min. 3 canopy trees
- Min. 4 understory trees
- Min. 12 screening shrubs
- No fence or berm required

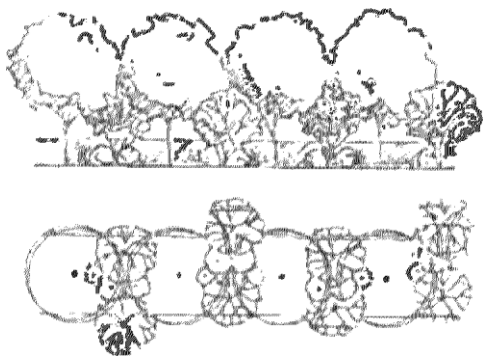
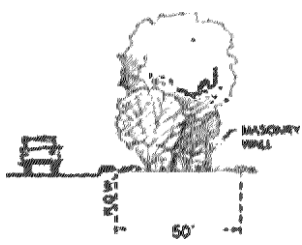
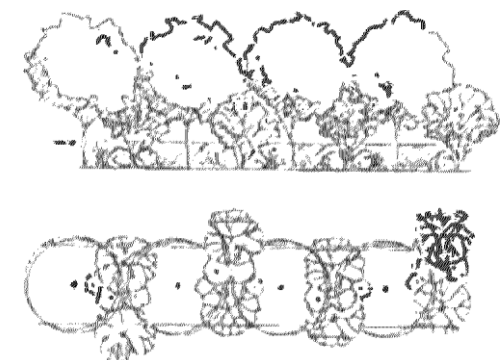
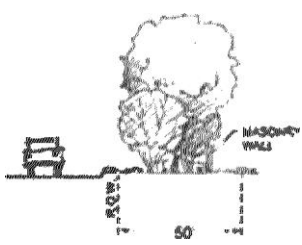


Buffer Yard 'D'

- 10-foot min. width
- Min. 4 canopy trees
- Min. 5 understory trees
- Min. 18 screening shrubs
- No fence or berm required



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<p>Buffer Yard 'E'</p> <ul style="list-style-type: none"> • 50 foot min. width • Min. 4 canopy trees • Min. 8 understory trees 		
<p>Buffer Yard 'F'</p> <ul style="list-style-type: none"> • 50 min. width • Min. 4 canopy trees • Min. 8 understory trees • Min. 12 screening shrubs • 8-ft high masonry wall required 		

d. *Required Structures.* Whenever a masonry wall is required within a bufferyard, it shall measure eight feet in height and be constructed in accordance with specifications set forth in the Town's design standards, including the submission of construction plans prepared and sealed by a professional engineer. An "F" fence shall be of masonry

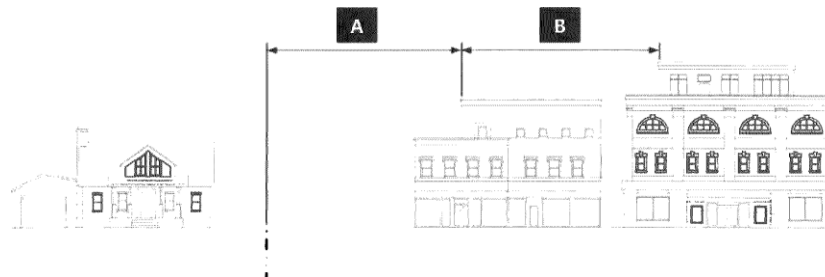
construction with like and similar masonry materials to those of the primary structure. A finished side of masonry wall shall face the residential or less intense use it is intended to buffer or screen.

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e. *Building Height in Transition Areas.*

- A. Any portion of a building within 50 feet of a property zoned in a residential district, as provided in Article III zoning, shall not exceed the maximum building height allowed in the abutting residential district. Portions of buildings within 50 feet are not eligible for additional building height that may otherwise be allowed.
- B. Any portion of a building between 50 feet and 100 feet of a property zoned in a residential district, as provided in Article III zoning, shall not exceed the maximum building height allowed in the abutting residential district, plus 15 feet. Portions of buildings between 50 feet and 100 feet are not eligible for additional building height that may otherwise be allowed.
- C. Any portion of a building beyond 100 feet from a property zoned in a residential district, as provided in Article III zoning, shall not exceed the allowed building height of the zoning district where the building is located. Portions of buildings beyond 100 feet are eligible for additional building height that may otherwise be allowed.

Figure 1: Building Height in Transition Areas



- J. Where the Street Tree requirements and Bufferyard Tree requirements overlap for canopy trees. the standard that requires the higher number of trees shall prevail.
- K. *Minimum Requirements for Off-Street Parking and Vehicular Use Areas.* Except for the OT-1 zoning district, parking lots, and vehicular use areas for developments within all the nonresidential zoning districts are to be effectively screened from the public view and adjacent property. Both the interior and perimeter of such areas shall be landscaped in accordance with the following criteria. Areas used for parking or vehicular storage which are under, on, or within buildings are exempt from these standards.
 1. *Interior Landscaping.* A minimum of ten percent of the gross parking areas shall be devoted to living landscaping that includes grass, ground cover, plants, shrubs, and trees. Gross parking area is to be measured from the edge of the parking lot and/or driveway

paving and sidewalks. The following additional criteria shall apply to the interior of parking lots.

- a. Interior landscape areas shall be protected from vehicular encroachment or overhang through appropriate wheel stops or curbs.
 - b. There shall be a minimum of one overstory tree planted for each 400 square feet or fraction thereof of required interior landscape area.
 - c. Interior areas of parking lots shall contain planting islands located so as to best relieve the expanse of paving. Planter islands must be located no further apart than every 12 parking spaces and at the terminus of all rows of parking. Such islands shall contain at least one overstory tree. Planter islands shall not be required for lots containing less than 35,000 square feet. The remainder shall be landscaped with shrubs, lawn, ground cover, and other appropriate material not to exceed three feet in height at maturity. Interior planter islands shall have a minimum size of 16 square feet and a minimum width of eight feet as measured from back-of-curb to back-of-curb or nine feet from edge-of-pavement to edge-of-pavement if constructed without curbs.
 - d. The Town may approve planter islands required by Section 14.3.67-6.J.I.c. above to be located further than apart than 12 parking spaces in order to preserve existing trees in interior parking areas. Off-street parking and drive areas located within the drip line of a tree shall be paved with permeable material approved by the Town when the drip line of an existing tree is larger than the planter islands required by Section 14.3.67-5.C.3.
2. *Perimeter Landscaping.* All parking lots and vehicular use areas located between a primary structure and a public right-of-way shall be screened from all public rights-of-way with a landscape barrier. Plants and materials used in the landscaped strip shall meet the minimum specifications as established in Sections 14.3.67-5.C., 14.3.67-5.D., and 14.3.67-5.E.

Perimeter landscaping shall be designed to screen off-street parking areas and other vehicular use areas, except for driveways that provide direct connection to a public right-of-way, from public rights-of-way. Said perimeter landscaping shall include the following:

- a. Whenever an off-street parking area or vehicular use area is located between a primary structure and a public right-of-way, except a public alley, a perimeter landscape area of at least 15 feet in depth shall be maintained between the abutting public right-of-way and the off-street parking or vehicular use area. An appropriate landscape screen or barrier shall be installed in this area and the remaining area shall be landscaped with materials as specified in b. below.
- b.

The following planting materials shall be required within a landscape barrier as specified herein. Plant materials as required for the mandatory bufferyards required by Section 14.3.67-6 may be counted toward the perimeter landscape requirements specified herein:

1. One overstory tree per 30 lineal feet of frontage;
2. Three understory trees per 30 lineal feet of frontage;
3. Curvilinear berm measuring a minimum of three feet in height or a hedge row creating a solid vegetative screen at maturity of the plant materials. Said plant materials shall meet the minimum criteria for shrubs as specified by Section 14.3.67-5.E.; and
4. All areas not covered by plant materials specified in items 1. through 3. above shall be covered in ground cover, which shall be selected from the approved plant list.

L. *Landscaping Requirements for Non-Vehicular Open Space.* Development within the LR, CR, CF, and BP zoning districts shall meet the following landscaping standards in addition to the landscaping of off- street parking and vehicular use areas and all bufferyards required by Section 14.3.67-6. All remaining open spaces on any developed lot or parcel shall conform to the following minimum criteria:

1. Grass, ground cover, shrubs, and other landscape materials shall be used to cover all open ground within 20 feet of any building or paving or other use such as storage.
2. All structures shall be treated with landscaping so as to enhance the appearance of the structure and to screen any detractive or unsightly appearance.
3. Landscaping shall be provided on each developed lot in accordance with the following standards (except for development within the OT-1 zoning district):
 - a. *Overstory Trees.* Overstory trees shall be planted in non-vehicular open space to meet the following criteria. Existing trees that are preserved on a developed site may be credited as specified by this section.

<i>Percentage of Site in Vehicular Open Space:</i>	<i>Tree Ratio per Non-Vehicular Open Space:</i>
Less than 30	1 tree/2,500 square feet
30 to 49	1 tree/3,000 square feet
More than 49	1 tree/4,000 square feet

4. Landscaping that is in excess of the required minimum open space that is located in rear yard of the site shall not be used to meet the minimum open space requirements for the site. Item 8.

- M. Vehicular driveways from the public right-of-way and sidewalks, in accordance with Town regulations, shall be permitted through all required landscaping.

14.3.67-7 Minimum Landscaping Requirements for Single-Family and Two-Family Residential Developments.

- A. For all single-family and two-family developments, each residential lot shall be required to have one large shade tree and two small ornamental trees within the front yard. The required trees shall be installed prior to issuance of a certificate of occupancy for the premises, and shall be maintained in a living and growing condition by the owner of the premises.

14.3.67-8 Sight Distance and Visibility.

- A. Strict compliance with these landscaping requirements shall not be such as to cause visibility obstructions and/or blind corners at intersections.
- B. Landscaping, except required grass and low ground cover, shall not be located closer than three feet from the edge of any vehicular pavement.
- C. In the event other visibility obstructions are apparent in the proposed landscape plan, as determined by the Town Administrator, or designee, the requirements set forth herein may be slightly reduced, if necessary, to remove the conflict.

14.3.67-9 Maintenance.

- A. The owner, tenant and/or their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping. All required landscaping shall be maintained in a neat and orderly manner at all times. This shall include, but not to be limited to, mowing (of grass six inches or higher), edging, pruning, fertilizing, watering, weeding, and other such activities common to the maintenance of landscaping. Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping. All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Plant materials which die shall be replaced with plant material of similar variety and size, within 90 days. Trees with a trunk diameter in excess of six inches measured 24 inches above the ground may be replaced with ones of similar variety having a trunk diameter of no less than three inches measured 24 inches above the ground on a caliper-inch for caliper-inch basis. A time extension may be granted by the Town Administrator, or designee, if substantial evidence is presented to indicate abnormal circumstances beyond the control of the owner or his/her agent.

- B.

It shall be the duty of any person or persons owning or occupying real property bordering on any street to prune trees next to the street in such manner that they will not obstruct or shade the streetlights, obstruct the passage of pedestrians on sidewalks, obstruct vision of traffic signs, or obstruct the view from any street or alley intersection, pursuant to the Town's visibility standards. The minimum clearance of any portion of a tree overhanging public street right-of-way shall be 14 feet, and overhanging a public sidewalk shall be eight feet.

- C. Failure to maintain any landscape area in compliance with this section is considered a violation of this section and may be subject to penalties of this ordinance.

14.3.67-10 Tree Preservation.

- A. Trees shall be preserved in accordance with Argyle's Tree Preservation Ordinance as set out in Article V.

(Ord. No. 2010-01, § 3, 1-12-10; Ord. No. 2010-17, § 2, 10-26-10; Ord. No. 2019-04, § 5 (Exh. E), 3-26-19; Ord. No. 2020-06, § 2, 3-24-20; Ord. No. 2021-21, § 2(Exh. A), 10-4-21; Ord. No. 2022-01, § 2(Exh. A), 2-7-22; Ord. No. 2024-10, § 2(Exh. A), 3-18-24; Ord. No. 2024-26, § 2(Exh. A), 9-16-24)



PLANNING AND ZONING COMMISSION STAFF REPORT

Meeting

Date: April 1, 2026

To: Chairman and Members of the Planning and Zoning Commission

From: Harrison Wicks, Director of Community Development

Subject: Public Hearing: TDS-26-005 to remove Article III, Zoning, Part 5 Development Standards, Section 14.3.76 Lighting and Glare Standards, and establishing Article VIII, Outdoor Lighting, and other related provisions in the Town Development Standards

Purpose:

Hold a public hearing, consider and make a recommendation to Town Council on an ordinance amendment (TDS-26-005) to remove Article III, Zoning, Part 5 Development Standards, Section 14.3.76 Lighting and Glare Standards, and establishing Article VIII, Outdoor Lighting, and other related provisions in the Town Development Standards.

Background:

Town Council has directed staff to propose comprehensive outdoor lighting standards to meet the policy requirements of Dark Sky International to be a designated Dark Sky Community. These standards apply for future and existing public and private properties.

Staff has investigated and determined that it is in the interests of public health, safety, and welfare to amend the Town of Argyle Development Standards to include comprehensive outdoor lighting and prescribe penalties for violations.

Staff believe that a consistent and definitive outdoor lighting ordinance will encourage and promote quality development, enhance the unique, small-town charm of the Town, and protect its rural and natural heritage accordant with the Town Comprehensive Plan.

The purpose of the proposed outdoor lighting standards is to maintain the sanctity of private and public property in the Town and its surroundings; protect property owners from the nuisance of light trespassing onto their property; and reduce ambient light for the enjoyment of the Town and its surroundings.

Additionally, the proposed outdoor lighting standards are designed to protect the health and welfare of the Town and its surroundings by providing responsible outdoor lighting, preserving the natural cycle of day and night, encouraging energy efficiency, and prevent light pollution.

Exhibits:

Exhibit A – Article VIII, Outdoor Lighting

Exhibit B – Current Section 14.3.76 Lighting and Glare Standards

Recommended Motion:

Move to recommend approval to Town Council of an ordinance amendment TDS-26-005 to remove Article III, Zoning, Part 5 Development Standards, Section 14.3.76 Lighting and Glare Standards, and establishing Article VIII, Outdoor Lighting, and other related provisions in the Town Development Standards.

Exhibit A

Article VIII. OUTDOOR LIGHTING

Sec. 14.8.1. Purpose.

The purpose of this article is to create clear, reasonable, effective, consistent, content-neutral, and nondiscriminatory outdoor lighting regulations to promote a positive Town image with effective and visually pleasing lighting. The goal is to enhance pedestrian safety, property values, business opportunities, and community appearance; and to prevent light pollution, which is potentially harmful to the health of individuals and wildlife.

Sec. 14.8.2. Definitions.

For the purposes of this ordinance, terms used shall be defined as follows:

Adaptive Controls. Devices such as timers, motion sensors and light-sensitive switches are used to actively regulate the emission of light from light fixtures.

Area Lighting. Light fixtures located on public or private property that are designed to light spaces including but not limited to parks, parking lots and nature areas.

ANSI. The American National Standards Institute is a private, non-profit organization that administers and coordinates the U.S. voluntary standards and conformity assessment system.

Barn Light. Commonly referred to as a dusk-to-dawn light and is generally unshielded and used in rural applications.

Beam of a light fixture. the spatial distribution of the emitted light.

Bulb. A light-emitting device or a structure containing a light source that includes but is not limited to a lamp; also referred to as a "lamp".

Correlated Color Temperature (CCT). A specification of the color appearance of the light emitted by a lamp, relating its color to the color of light from a reference source when heated to a particular temperature, measured kelvins (K).

Electronic Message Display. Any illuminated sign of an informative or advertising nature, whether on- or off-premises, and operable at night, whose content is made visible to the viewer by means of luminous elements under active electronic control and therefore subject to

alteration to vary the content of the message. Electronic displays may be either static or dynamic in terms of light color and intensity.

Existing Light Fixtures. Those outdoor light fixtures already installed on the date this ordinance is effective.

Exterior Lighting. Temporary or permanent lighting that is installed, located and used in such a manner to cause light rays to shine outside. Fixtures that are installed indoors and intended to light something outside are considered exterior lighting.

Floodlight. A light fixture having a wide beam.

Footcandle. A measurement of the intensity of illumination. A footcandle is the illumination produced by one lumen distributed over a 1-square-foot area.

Fully Shielded Fixture. A light source screened, and its light directed in such a way that none is emitted above the horizontal plane passing through its lowest light-emitting part.

Glare - The excessive brightness from a direct light source that makes it difficult to see what one wishes to see; or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.

Holiday Lighting - Temporary outdoor lighting decorations installed to celebrate a holiday.

IES. The Illuminating Engineering Society (formerly IESNA) is a recognized authority on lighting best practices and standards; a professional society of lighting engineers, including those from manufacturing companies, and others professionally involved in lighting.

Illuminance. The intensity of light in a specified direction measured at a specific point.

Illumination. The distribution of light on a horizontal surface. The purpose of all lighting is to produce illumination.

Initial Lamp Lumens. The number of lumens of light emitted by a lamp when new and not counting any depreciation of output due to the age of the lamp. This information can be found in manufacturer data sheets.

LED - Light emitting diode.

Light Fixture. The assembly that holds or contains a lamp or bulb and includes elements designed to give light output control, such as a reflector (mirror) or refractor (lens), the ballast, housing and the attachment parts.

Light Pollution. Any, and all nuisances caused by the adverse effect of manmade light, including, but not limited to, glare, light trespass, sky glow, visual clutter and energy waste, due to excessive or unnecessary artificial light that unnecessarily diminishes the night sky.

Light source. A light emitting portion of the luminaire and any diffusing elements and surfaces intended to reflect or refract light emitted from the lamp individually or collectively, for example, a lamp, bulb, lens, highly reflective surface, or frosted glass.

Light Trespass. Unwanted light falling on public or private property from any location outside of that property; generally caused by a light on a property that shines on the property of others.

Lumen. A measurement of light emitted by a lamp; and identifies the amount of light emitted per second into a solid angle of one steradian from a uniform source of one candela. As reference, a 100-watt incandescent lamp emits about 1600 lumens.

Lumens Per Net Acre. The total number of initial lumens produced by all lamps utilized in outdoor lighting on a developed property by the number of acres. The net acreage of a property is the gross acreage of that property less any acre (s) that is considered undeveloped.

Luminaire. The complete lighting unit (fixture) consisting of a lamp, or lamps and ballasts, together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps and to connect the lamps to the power supply.

Luminance. Light that reaches a surface and other objects; the density of luminous flux incident on a surface measured in lux or foot-candles.

Nit. A unit of measurement of luminance, or the intensity of visible light, where one nit is equal to one candela per square meter. A nit is a common unit of lighting and outdoor advertising industries.

Outdoor Lighting. Night-time illumination of an outside area or object by any man-made device that is located outdoors and produces light.

Partially Shielded. A fixture shielded in such a manner that no more than 10% of the light emitted directly from the lamp or indirectly from the fixture is projected at an angle above the horizontal.

Private Lighting. Light fixtures located on property owned or controlled by an individual person or persons.

Public Lighting. Light fixtures located on property owned, or controlled, by the Town or other governmental entity or entities, including but not limited to streets, highways, alleys,

Recessed Lighting. When a light is built into a structure or portion of a structure such that the light is fully shielded, and no part of the light extends or protrudes beyond the undersides of a structure or portion of a structure.

Replacement Lighting. Lighting installed specifically to replace existing lighting that is sufficiently broken beyond repair.

Sag-lens/Drop-lens. Clear or prismatic refracting lens that extend below the lowest opaque portion of a light fixture.

Searchlight. Any light fixture having a narrow beam intended to be seen in the sky by an observer on the ground.

Sky Glow. The brightening of the nighttime sky caused by the scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Sky glow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky.

Spotlight. A narrow strong beam of light that can be directed to illuminate a small area.

Street Lighting. Lighting provided for major, collectors and local roads, as well as sidewalks and bikeways, where pedestrians and cyclists are generally present.

Temporary Outdoor Lighting. Lighting installed and operated for periods not to exceed 60 days, completely removed and not operated again for at least 30 days.

Total outdoor light output. the total amount of light, measured in lumens, for outdoor light fixtures within the illuminated area of a property. The lumen value to be used in the calculation is the lumen value as defined in this article. To compute the total, add the lumen outputs attributed to each light fixture together.

Up Lighting. The most used technique to illuminate structures or parts of structures, trees, walls, waterfalls, fountains and other outdoor objects above the horizontal plane. Light fixtures are ground-mounted and directed upwards, away from the viewer to prevent glare.

Unshielded. Any fixture which, as designed or installed, emits all or part of the light above the lowest part of the light fixture.

Wall Pack. A type of floodlight mounted on the wall of a building or other structure.

Watt. The unit used to measure electrical power consumption (not the light output of a lamp).

Sec. 14.8.3. Nonconforming existing outdoor light fixtures.

- A. All existing outdoor lighting that was legally installed before the enactment of this article, that does not conform with the standards specified by this article, shall be considered nonconforming. Nonconforming outdoor lighting is allowed to remain until required to be replaced pursuant to the terms of this article.
- B. If more than fifty percent (50%) of the total appraised value of a structure (as determined from the records of the county's appraisal district), has been destroyed, the nonconforming status expires, and the structure's previously nonconforming outdoor lighting must be removed and may only be replaced in conformity with the standards of this article.
- C. Nonconforming outdoor lighting shall be brought into conformance with this article as follows:
 - 1. Nonresidential Application. All existing outdoor lighting located on a subject property that is part of an application for a rezoning application, conditional use permit, subdivision approval, or a building permit for a major addition is required to be brought into conformance with this article before final inspection, issuance of a certificate of occupancy, or final plat recordation, when applicable. For the following permits issued by the Town, the applicant shall have a maximum of 90 days from date of permit issuance to bring the lighting into conformance: site development permit, sign permit for an externally or internally illuminated outdoor signs.
 - 2. Residential addition or remodel. Nothing herein shall be construed to terminate a residential property's nonconforming status because of an addition or remodel. However, all outdoor residential lighting that is affixed to a construction project requiring a building permit is required to conform to the standards established by this ordinance.
 - 3. Abandonment of nonconforming. A nonconforming structure shall be deemed abandoned if the structure remains vacant for a continuous period of six (6) months. In that instance, the nonconforming status expires, and the structure's previously nonconforming outdoor lighting must be removed and may only be replaced in conformity with the standards of this article.
- D. It is unlawful to expand, repair or replace outdoor lighting that was previously nonconforming, but for which the prior nonconforming status has expired, been forfeited, or otherwise abandoned.
- E. Outdoor lighting on any property that is not in conformance with this article shall be brought into conformance with this article within ten (10) years from the date of adoption of this article. All new construction and/or new luminaires installed (including replacements for existing fixtures) shall comply after the adoption of this article.

- F. Amortization Extension. Residential property owners may request from the Town an amortization extension of up to a maximum of ten (10) years from the date a nonconforming fixture was installed provided that the fixture was compliant with existing Town ordinances at the time is installed, and that date of installation can be substantiated via documents, date stamped photographs, etc. or, at the prerogative of the Town Administrator, corroborative written statements.
1. Amortization extensions to the date at which outdoor lighting shall conform with this article shall be on a per fixture basis with the following requirements:
 - a) The light fixture must be documented to cost at least \$100 when originally purchased;
 - b) The fixture cannot be brought into compliance by changing the bulb or lighting element or installing shielding;
 - c) If the bulbs or other lighting elements of the fixture require replacement during the amortization period, the replacement bulbs or lighting elements shall not be rated in excess of 2200 Kelvin.

Sec. 14.8.4. General Provisions.

A. Shielding.

1. Unless exempted elsewhere in this article, all outdoor lighting shall be fully shielded.
2. New streetlights shall be fully shielded fixtures utilizing a minimum output consistent with the safety of drivers and pedestrians.
3. Mounting height or topography or proximity to other properties may cause public or private outdoor light fixtures to require additional shielding to prevent glare or an unsafe condition on properties other than the one on which it is installed.
4. All lighting that illuminates the translucent portion of a greenhouse or solarium must be shielded so that no direct light shines outside of the structure and no more than 4% of the reflected or refracted illumination is allowed to escape outside the structure.
5. Outdoor light fixtures with a maximum output of 200 lumens per fixture, regardless of the number of bulbs, may be left unshielded provided the source of the light is not visible from any other property and the fixture conforms to all other stipulations of this article. The output from these fixtures shall not exceed 10% of the lumens per net acre allowed by this article.

B. Light Trespass.

1. Light trespass is prohibited. No luminaire installed within the Town limits, except government owned streetlights, shall create conditions of light trespass. Government owned streetlights may only create light trespass below them within one hundred (100) feet of its installed location.
2. All outdoor lighting, except government owned streetlights, shall be shielded so that the light source shall not be visible from any other property.

C. *Outdoor Sports Facilities.*

1. Lighting at public and private outdoor sports facilities, including but not limited to playing fields, arenas, tracks, and swimming pools, will be shielded to the greatest practical extent to reduce glare, safety hazards, light trespass, and light pollution;
2. Will provide levels of illuminance that are adjustable according to task, allowing for illuminating levels not to exceed nationally recognized Illuminating Engineering Society of North America (IESNA) standards according to the appropriate class of play, as well as for lower output during other times, such as when field maintenance is being actively performed; and
3. Shall be provided exclusively for illumination of the surface of play and adjacent viewing stands, not for any other application, such as lighting a parking lot; and
4. Must be extinguished by 11:00 p.m. or within one (1) hour of the end of active play. The outdoor sports facility lighting shall be fitted with mechanical or electronic timers to prevent lights from being left on accidentally overnight.
5. Outdoor sports facility lighting will be exempted from the other regulations of this article if its design and installation, as certified by a professional engineer (PE) licensed in the state of Texas, adheres to the version of the International Dark-Sky Association's Criteria for Community-Friendly Outdoor Sports Lighting operative at the time when the construction permit is submitted to the Town for review.

D. *Towers.* No lighting of towers and associated facilities is allowed, except by permit, and except as required by the Federal Aviation Administration or other federal or state agency. In coordination with the applicable federal or state agency, the applicant shall determine the maximum height of the tower that would not require lighting. If a proposed tower requires lighting, the applicant shall demonstrate that a tower height that requires lighting is necessary. Such justification shall include documentation showing:

1. Coverage limitations;
2. Type of system (e.g., cellular, radio, television);
3. Technical and engineering details of the lighting to be installed; and
4. Requirements of federal, state, and local agencies.

5. If a tower height that requires lighting is justified, slowly blinking red lights must be used at night. White strobe lights at night are prohibited.
- E. *Color Temperature.*
1. The correlated color temperature (CCT) of luminaires shall not exceed 2200 Kelvins.
 2. Luminaires rated below 2200 Kelvin are encouraged for better nighttime visibility.
- F. *Service Station Canopies and other building overhangs.* All luminaires mounted on or recessed into the lower surface of service station canopies or other overhangs shall be fully shielded and utilize only flat lenses or windows. Shielding must be provided by the luminaire itself, and not by surrounding structures such as canopy edges. Light directed on service station pumps may be angled to illuminate the pump to the level of federal standards and to shield the light from normal view.
- G. *General curfew.*
1. In all nonresidential zones,
 - a) All privately owned exterior lighting not adaptively controlled shall be extinguished by 11 :00 p.m. or within one (1) hour of the end of normal business hours, whichever occurs later.
 - b) Exterior lighting with adaptive controls shall reduce lighting to 25% or less of the total outdoor light output allowed by 11 :00 p.m. or within one (1) hour of the end of normal business hours, whichever occurs later. Adaptive controls may be used to activate lights and resume normal light output when motion is detected and be reduced back to 25% or less of total outdoor light output allowed within 5 minutes after activation has ceased, and the light shall not be triggered by activity off property.
 - c) Businesses whose normal operating hours are (24) twenty-four hours per day are exempt from this provision.
 2. All publicly owned lighting not adaptively controlled must be fully extinguished by 11 :00 p.m., or within one (1) hour of the end of occupancy of the structure or area to be lit, whichever is later.
 3. All outdoor lighting is encouraged to be turned off when no one is present to use the light.
- H. *Lumen Caps.* The lumen per net acre values is an upper limit and not a design goal; design goals should be the lowest levels that meet the requirement of the task. Lumen per net acre values exclude governmental owned streetlights used for illumination of public rights-of-way and outdoor facilities.
1. Nonresidential Property. Total outdoor light output installed on any nonresidential property shall not exceed 100,000 lumens per net acre in any contiguous illuminated area;

- 2. Residential Property. Total outdoor light output installed on any residential property shall not exceed 25,000 lumens per net acre in any contiguous illuminated area.
- I. *Adaptive Controls.* All new publicly owned lights, including streetlights, will incorporate adaptive controls (e.g., timers, motion-sensors, and light-sensitive switches) to actively regulate the emission of light from light fixtures such that the lighting of areas is restricted to times, places and amounts required for safe occupancy.
- J. *Flagpoles.* Property owners are encouraged not to illuminate flagpoles at night, but rather to hoist flags after dawn and lower flags before sunset. If flags are illuminated at night, lighting of up to a total of two (2) flags per property is permitted with the following conditions:
 - 1. Flagpoles with a height greater than 20 feet above ground level shall be illuminated only from above. This may be achieved by utilizing a luminaire attached to the top of the flagpole or a luminaire mounted above the top of the flagpole on a structure within fifteen (15) feet of the flagpole and must comply with all sections of this article. The total light output from any luminaire mounted on top of or above a flagpole shall not exceed 800 lumens and 2,200 kelvins.
 - 2. If the flag of the United State of America is displayed during the hours of darkness it should be illuminated as recommended in the United States Flag Code (36 U.S.C. Paragraphs 173, 174).
- K. *Prohibitions.* The use of the following types of outdoor lighting are prohibited, except as specifically exempted here or elsewhere in this article.
 - 1. Sag-lens or drop lens fixtures.
 - 2. Any luminaire that uses mercury vapor lamps.
 - 3. Searchlights, skybeams, beacons, laser sources, and similar lighting, except as required by response personnel during emergency conditions.
 - 4. Any light that dynamically varies its output by intermittently fading, flashing, blinking, or rotating. This type of lighting includes strobe lighting.
 - 5. Outdoor lighting fixtures using lamps or bulbs, regardless of the number of bulbs and level of initial lamp lumens, shall not exceed 2,200 kelvins and meet the following:

Initial Lamp Lumens

≥ 1,500

Shielding Requirement

Fully

≤ 1,499

None

6. All existing and/or new private and public outdoor lighting shall not cause light trespass and shall protect properties from glare and excessive lighting. Outdoor lighting fixtures shall be sufficiently shielded and aimed such that spillage of light onto adjacent properties is minimized and glare from the light emitting and/or reflecting parts of a luminaire is not visible from an adjacent property.
 7. The installation of any barn light fixture for use as outdoor lighting is prohibited unless the fixture includes a full opaque reflector instead of the standard translucent lens.
 8. Outdoor up lighting is prohibited, except in cases where the fixture is shielded by a roof overhang or similar structural shield that will not cause light to extend beyond the structural shield.
- L. *Warranting.* New installations of outdoor lighting will only be installed on public properties and right-of-way upon determination by the Town Manager or designee that a public safety hazard exists in the area to be lit, and that the hazard can only be effectively mitigated through the use of outdoor lighting and not through some other passive means, such as reflectorized roadway paint or markers.

Sec. 14.8.5. Plan Submission and Compliance Review.

- A. Any individual applying for a compliance review or building permit under this article intending to install new outdoor lighting or update existing outdoor lighting shall file a lighting plan with the Town. A lighting plan shall be filed at the same time as any other plans required by the Town. The individual may obtain from Town staff a document that lists all the items that comprise a proper and complete outdoor lighting submittal. The submittal shall contain, but shall not necessarily be limited to the following:
 1. Plans indicating the number and location on the premises of proposed and existing light fixtures, the type of light fixture (the manufacturer's order number), the lamp type, Kelvin rating, initial lumens produced, the mounting height for each fixture, adaptive controls, building elevations for any structure whose interior lighting is defined as outdoor lighting per this article and the manufacturer's specification sheet for each light fixture.
 2. The number of acres or part of an acre that is to be illuminated contiguously, the square footage of the footprint for each structure within the area to be illuminated; and
 3. Any other evidence that the proposed installation will comply with this ordinance.

- B. The lighting plan shall be reviewed by the Community Development Department to determine compliance with this article, considering all factors, including but not limited to, levels of illuminance, luminance, glare, safety hazards, light trespass, and light pollution. The Community Development Department may seek input from community members knowledgeable about outdoor lighting during the review process. The Community Development Department shall approve or reject the plan within 30 days of submission, returning it to the applicant with an explanation. The applicant shall not move forward with the outdoor lighting project until the lighting plan is approved. After the lighting plan is approved, no substitutions may be made for approved light fixtures without resubmitting the plan for review with the substitutions.

Sec. 14.8.6. Exemptions, temporary permitting, amendments, enforcement, civil remedies and public nuisance.

A. *This article shall not apply to the following:*

1. Holiday lighting illuminated for no more than 60 days per calendar year, with illumination only during the hours of 6:00 a.m. to 11 :00 p.m. each day, and with the provision that flashing holiday lights are prohibited on nonresidential properties;
2. String, festoon, bistro, and similar lighting, provided that the emission of no individual lamp exceeds fifty (50) lumens, no installation of such lighting exceeds, in the aggregate, six thousand (6,000) lumens on any one property, and the lights are rated at or below 2200 Kelvin;
3. Underwater lighting of swimming pools and similar water features;
4. Lighting required by law to be installed on surface vehicles and aircraft;
5. Airport lighting required by law;
6. Lighting required by federal or state laws or regulations;
7. Temporary emergency lighting needed by law enforcement, fire and other emergency services as well as temporary building egress lighting whose electric power is provided by either battery or generator;
8. Lighting employed during emergency repairs of roads and utilities provided such lighting is deployed, positioned and aimed such that the resulting glare is not directed toward any roadway or highway or residence;
9. Temporary lighting at construction projects provided such lighting is deployed, positioned and aimed such that the resulting glare is not directed toward any roadway or highway or residence;
10. Governmental facilities where compelling needs are demonstrated to the Town Administrator or designee; and

11. Temporary lighting, permitted in this article, for theatrical, television, performance areas, or events provided the lights are positioned safely and do not create issues of light trespass.

C. *Temporary Permitting.*

1. Lighting such as that needed for theatrical, television, performance areas, or events may be allowed by temporary exemption. Temporary lighting that does not conform to the provisions of this article may be approved at the discretion of the Town Administrator subject to submission of an acceptable Temporary Outdoor Lighting Permit.
2. *Permit term and renewal.* Permits issued shall be valid for no more than seven (7) calendar days and subject to no more than one renewal, at the discretion of Town Council or the Town Administrator, for an additional seven (7) calendar days.
3. *Conversion to a permanent status.* Any lighting allowed by Temporary Outdoor Lighting Permit that remains installed after fourteen (14) calendar days from the issue date of the permit is declared permanent and is immediately subject to all the provisions of this article.
4. *Permit contents.* A request for a Temporary Outdoor Lighting Permit for a temporary exemption to any provision of this article must list the specific exemption requested and the start and end date of the exemption. Search lights, sky beams and similar lighting will not be allowed. The Town may ask for any additional information which would enable a reasonable evaluation of the request for temporary exemption.

- D. *Amendment.* This article may be amended from time to time as local conditions change, and as changes occur in the recommendations of nationally recognized organizations such as the Illuminating Engineering Society of North America and the International Dark-Sky Association, if the council wishes to do so.

E. *Enforcement.*

1. It will be the responsibility of the Town to publish this article in the newspaper of record and to disseminate the ordinance by other appropriate means; to publish information about the ordinance on the Town website; and, as time permits, to inform owners of noncompliant lighting of these provisions.
2. The Town Manager is authorized to promulgate one or more interpretive documents to aid in the administration of and compliance with this article.
3. *Violations.*
 - a. The Town shall have the power to administer and enforce the provisions of this Article as may be required by governing law. Any person violating

any provision of this Article is subject to suit for injunctive relief as well as prosecution for criminal violations.

- b. It shall be unlawful to install or operate any outdoor lighting luminaire in violation of any provision of this Article. Any person violating any provision of this article shall be guilty of a Class C Misdemeanor and may also be subject to suit for injunctive relief, monetary damages, and other relief as directed by a court with jurisdiction over the matter.
 - c. Each and every day during which the illegal erection, maintenance and use of such nonconforming lighting continues shall be considered to constitute a separate offense.
 - d. Any owner who fails to comply with these provisions may be issued a warning notice. The owner of the noncompliant lighting must, within 30 days from the issuance of such warning notice, submit a lighting plan as defined in Sec. 14.8.4 to come into compliance with this article.
 - e. A civil penalty up to five hundred dollars (\$500.00) a day when it is shown that the defendant was notified of the provisions of the Article and after receiving notice committed acts in violation of the Article.
 - f. In the event work is not performed in accordance with this Article, the Town shall issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project if a stop work order is in effect.
4. *Civil remedies.* Nothing in this article shall be construed as limiting the right of any person or entity to pursue legal action against any other person or entity under any law applicable, including the doctrine of light trespass.
 5. *Public nuisance.* Any violation of this article that results in light trespass or an unreasonable interference with the common and usual use of any other property is hereby declared to be a public nuisance.

Sec. 14.8.7. Notification. All building permit applicants will be notified of the Town outdoor lighting ordinance.

Sec. 14.8.8. Sign illumination.

- A. All permanent signs may be non-illuminated, illuminated by internal, internal indirect (halo), or lit by external indirect illumination, unless otherwise specified. All illuminated signs shall be extinguished at 11:00 p.m. or within one (1) hour of the end of normal

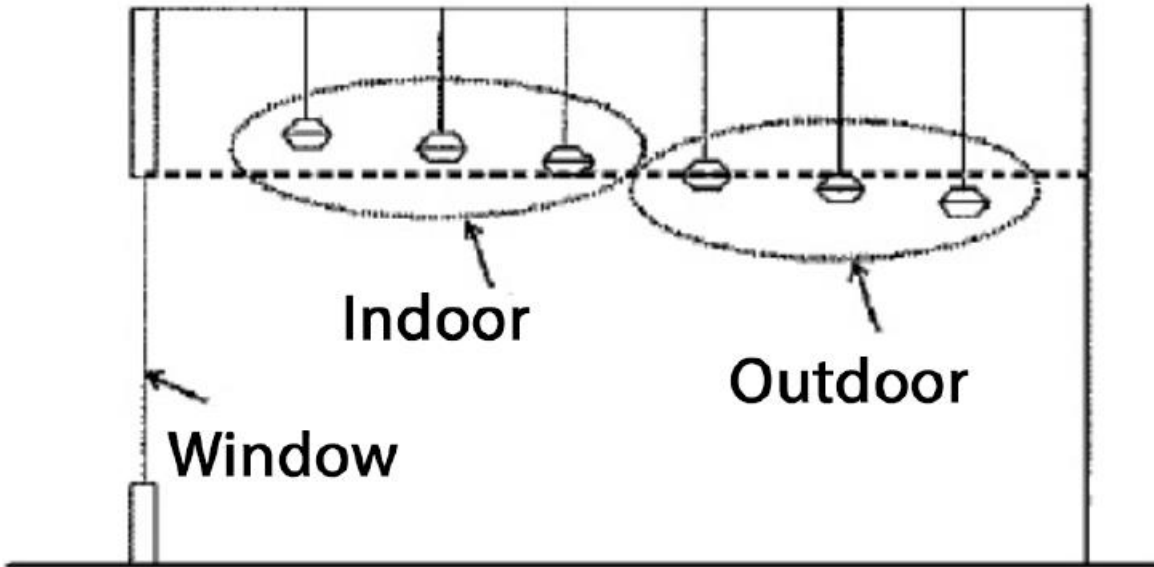
business hours, whichever occurs later. All sign illumination must comply with the correlated color temperature (CCT) requirements of this article.

- B. *Top-down lighting.* Externally illuminated signs shall be lit only from the top of the sign, with fully shielded luminaires designed and installed to prevent light from spilling beyond the physical edges of the sign.
- C. Outdoor internally illuminated signs (whether free standing or building mounted) shall be subject to all the following requirements:
1. The sign must be constructed with an opaque background and translucent letters and symbols or with a dark colored background and lighter letters and symbols.
 2. The internally illuminated portion of the sign cannot be white, cream, off-white, light tan, yellow or any light color unless it is part of a registered logo that does not have an alternate version with dark tones. Light tone colors such as white, cream, off-white, light tan, yellow or any light color are permitted in the logo only, provided that such colors in the logo shall represent not more than 33% of the total sign area permitted.
 3. The internal illumination, between sunset and sunrise, is to be the lowest intensity needed to allow the sign to be visible for up to 1/2 mile from its installation and shall not exceed 100 nits.
 4. Size limit. The luminous surface area of an individual sign shall not exceed 200 square feet.
 5. Electronic Message Center displays are prohibited within or adjacent to sensitive areas. These may include, but are not limited to: natural areas, beaches, wetlands, state and national parks, wildlife refuges, residential areas, observatories, and military training grounds. Setbacks more than 1 mile (1600 meters) from sensitive areas may be warranted. Distance setbacks should be assessed on a case-by-case basis, considering the cumulative effect of multiple EMCs. Town staff shall document setback requirements and all EMCs shall be subject to the following requirements:
 - a. Messages appearing on electronic message center displays shall not be displayed for less than (30) seconds and shall require no longer than 0.25 seconds to transition from one message to another. Moving and/or flashing text or images are prohibited.
 - b. The luminance level shall be gradually dimmed between day and night mode from sunset to one hour after sunset to provide the proper contrast ratio with the ambient illumination level, and similarly before sunrise. Within one hour after sunset luminance levels shall not exceed the following:

- i. In areas with low ambient lighting where lighting might adversely affect flora and fauna or disturb the character of the area, such as rural and low-density residential areas, the nighttime maximum luminance is not to exceed 20 candelas per square meter of signage.
- ii. In areas with moderate ambient lighting where the vision of human residents and users is adapted to moderate light levels such as light commercial areas and high-density or mixed-use residential areas, the nighttime maximum luminance is not to exceed 40 candelas per square meter of signage.
- iii. In areas with moderately high ambient lighting where the vision of human residents and users is adapted to moderately high light levels, the nighttime maximum luminance is not to exceed 80 candelas per square meter of signage.

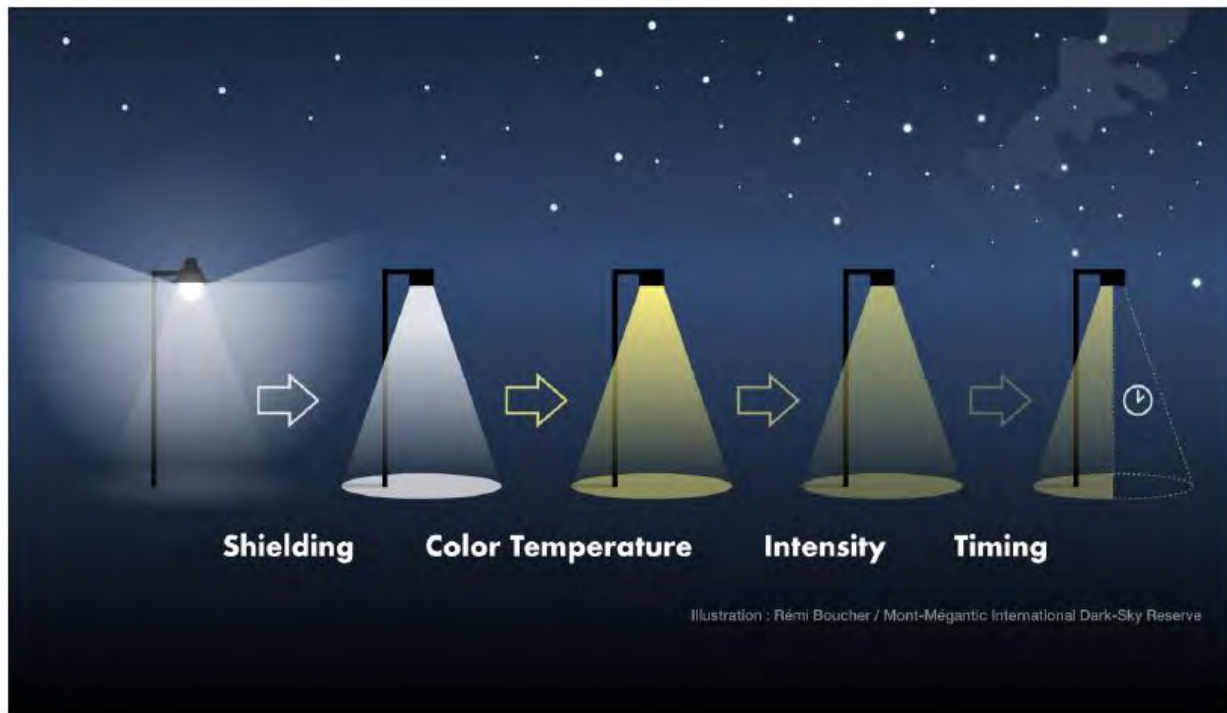
Sec. 14.8.9. Exhibits.

Exhibit 1. Indoor/outdoor lighting.



Elevation view showing an example of a nonresidential application of indoor lighting, labeled "Outdoor", which will be subject to this article. The example presumes the structure in question is not elevated such that any of the luminaires labeled "Indoor" may be seen from any other property. If the structure is elevated such that the luminaires labeled "Indoor" are visible from another property then, they are actually "outdoor lighting" and subject to this article. All luminaries under skylights or other translucent roofing materials are subject to this article just as the fixtures behind the window are in this example.

Exhibit 2. An illustration of best outdoor lighting practices.



- (1) Use shielding to reclaim wasted light and direct it to the area to be lit.
- (2) Lower the correlated color temperature (CCT) from "cool" white light to "warm" white.
- (3) Lower the intensity to provide as much light as needed for the application, but no more.
- (4) Use adaptive controls, e.g., timers, half-night photocells, motion sensors, etc., to limit the hours the light is in use.

Exhibit 3. Light Trespass

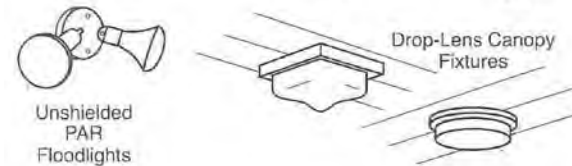
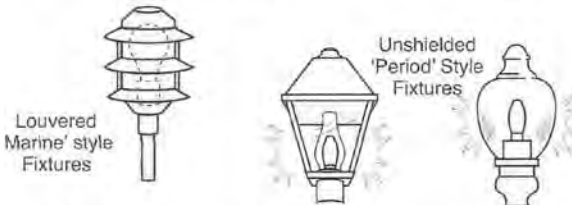
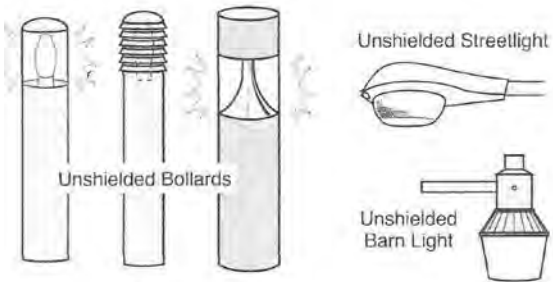
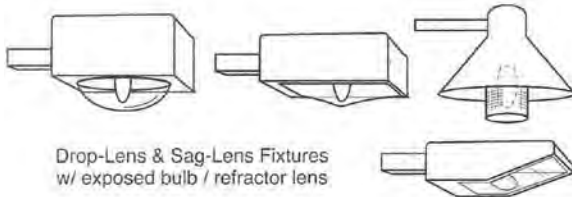
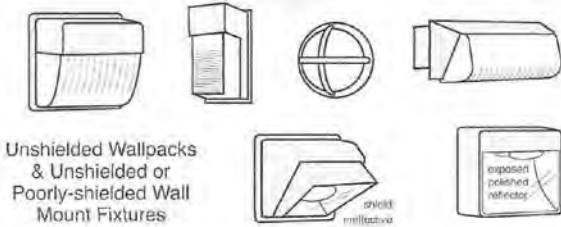
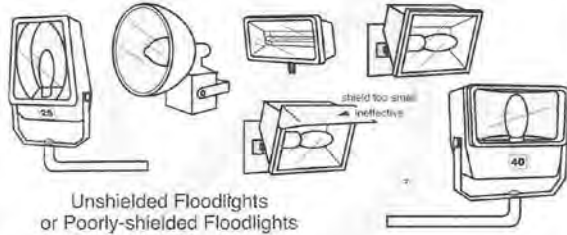


Exhibit 4. Unacceptable Fixtures and Acceptable Fixtures.

Examples of Acceptable & Unacceptable Lighting Fixtures

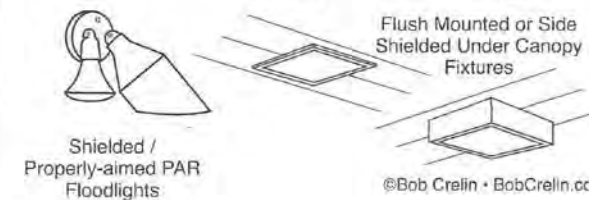
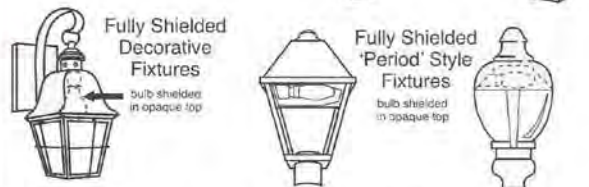
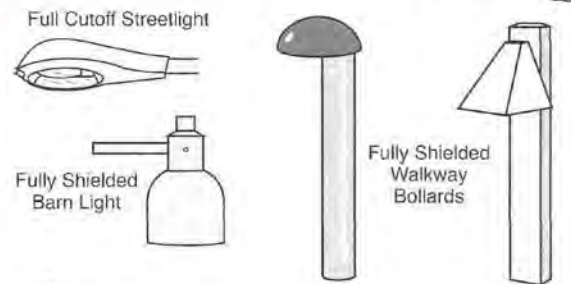
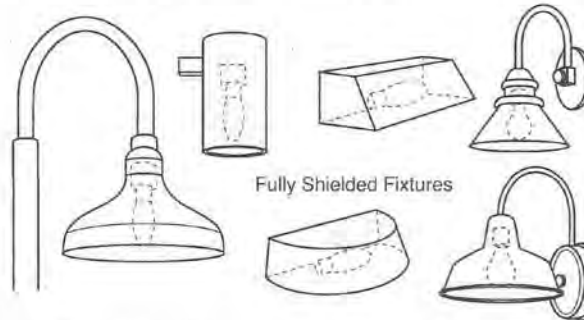
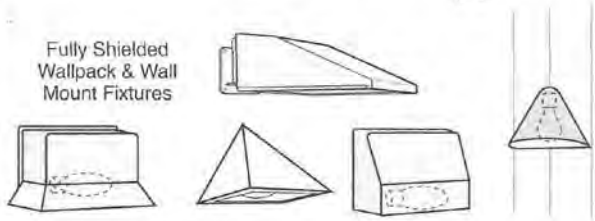
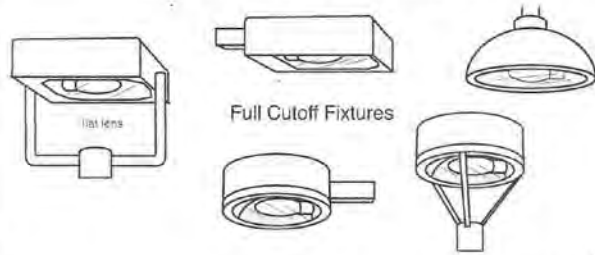
Unacceptable/Not Compliant

Fixtures that produce glare and light trespass



Acceptable/Compliant

Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



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Exhibit 5. Internally Illuminated Signs.

Light Background <input type="checkbox"/>	Colored Background <input checked="" type="checkbox"/>	Opaque Background <input checked="" type="checkbox"/>
		
		

DRAFT

Sec. 14.3.76. - Lighting and Glare Standards.

14.3.76-1 Purpose. Standards for controlling lighting and glare are set forth to reduce the annoyance and inconvenience to property owners and traffic hazards to motorists. These standards are intended to allow reasonable enjoyment of adjacent and nearby property by their owners and occupants while requiring adequate levels of lighting of parking areas.

14.3.76-2 Nonresidential Site Lighting and Glare Standards.

- A. Any use shall be operated so as not to produce obnoxious and intense glare or direct illumination across the bounding property line from a visible source of illumination of such intensity as to create a nuisance or detract from the use or enjoyment of adjacent property. All outside lights shall be made up of a light source and reflector so selected that acting together, the light beam is controlled and not directed across any bounding property line. Light poles shall be placed on the site a setback equal to its height from all adjacent residential property.

All lighting sources shall be provided with full-cutoff shielding with opaque tops and reflectors to:

1. Eliminate all direct upward illumination
2. Eliminate all direct visibility of the lighting element at ground level at all subject property lines
3. Reduce light levels at ground level of all property lines of the subject property to the following levels based on the zoning of the adjacent properties:
 - a. Single-family — 0.25 footcandles.
 - b. Multi-family — 0.5 footcandles.
 - c. Non-residential districts, streets — 3.0 footcandles.
 - d. Industrial districts — 5.0 footcandles.

- B. All off-street parking areas for nonresidential uses which are used after dark shall be illuminated beginning one-half hour after sunset and continuing throughout the hours of business operation. If only a portion of a parking area is offered for use after dark, only that part is required to be illuminated in accordance with these standards. However, the portion offered for use shall be clearly designated. Lighting within the parking areas shall meet the following minimum requirements:

1. *Intensity.*
 - a. Minimum at any point on the parking area surface to be at least 0.6 footcandles initial, and at least 0.3 footcandles maintained or one-third of the average, whichever is greater.

- b. Illumination shall not exceed an average of one footcandle at ground level and shall distribute not more than 0.25 footcandles of light upon any adjacent residentially zoned area.
- c. The acceptable uniformity ratio for lighted areas shall comply with recommended ranges adopted by the International Engineering Society of North America (IESNA) for low, medium, and high activity areas.

2. *Height.*

- a. Parking area lighting fixtures shall not exceed 25 feet in height.
- b. Special lighting or lighting higher than the height allowed in this section may be approved through the site plan process by the Planning and Zoning Commission and the Town Council in accordance with Section 14.3.25.

3. *Shielding of Lights.*

- a. Parking area lighting shall be full cutoff shielded and downcast fixtures.
- b. The source of light on any fixtures on a nonresidential use adjacent to a residential use shall be shielded from sight.
- c. Lighting fixtures for canopies or similar structures shall be recessed above the lower edge of the canopy.

14.3.76-3 Residential Lighting and Glare Standards.

- A. Residential lighting for security and night recreation use is permitted in all residential districts provided the following requirements are met:
 - 1. Light sources over ten feet in height must have full cutoff shielding from adjacent property.
 - 2. No light source shall exceed 20 feet in height. Streetlights and other traffic safety lighting are exempt from this standard.
 - 3. Lighting shall not directly shine on adjacent dwellings.
- B. Exemptions.
 - 1. *Holiday Lighting.*
 - a. Holiday lighting shall not exceed one foot-candle at any property line, except where the property line is adjacent to walkways, driveways, and streets.
 - 2. *Single-Family Detached, Single-Family Attached, and Townhouse Uses.*
 - a. Soffit or wall-mounted lights permanently attached to the dwelling shall be exempt from the exterior lighting regulations, provided the lights do not exceed the height of the eave; and
 - b. Such lights shall be downcast and directed away from abutting properties.

14.3.76-4 Luminaires.

- A. Light sources shall be of a down-light type, indirect, diffused, with full cutoff shielding installed and maintained so as to reduce glare effect (i.e., minimum 70-degree cutoff when measured from horizontal) and consequent interference with use of adjacent properties and boundary streets.
- B. Shielding of Lights.
 - 1. Lighting shall have full cutoff shielded and downcast fixtures.
 - 2. The source of light on any fixtures shall be shielded from sight.
 - 3. Lighting fixtures for canopies or similar structures shall be recessed above the lower edge of the canopy.

(Ord. No. 2024-37, § 2(Exh. A), 12-16-24)



PLANNING AND ZONING COMMISSION STAFF REPORT

Meeting

Date: April 1, 2026

To: Chairman and Members of the Planning and Zoning Commission

From: Harrison Wicks, Director of Community Development

Subject: Public Hearing – Amendment to Section 14.1.5 – Definitions for Development, Large Scale

Purpose:

Hold a public hearing, consider and make a recommendation to Town Council on an ordinance amendment (TDS-26-006) to Article I, General, of the Town of Argyle Town Development Standards regarding an amendment to Section 14.1.5 – Definitions for Development, Large Scale and other related provisions in the Town Development Standards.

Background:

The Development, Large Scale Use was approved by Town Council during their meeting on November 20, 2023. The definition reads as follows:

Development, Large Scale means a building, regardless of use, that is 40,000 square feet or larger.

The current proposal is to amend the definition to allow the 40,000 square foot requirement to include a cumulative square foot total across multiple buildings, instead of a single structure.

The proposed definition is as follows:

*Development, Large Scale means a building **or series of buildings**, regardless of use, that is 40,000 square feet or larger.*

Since the Development, Large Scale Use is permitted by Specific Use Permit (SUP) in all zoning districts, the cumulative total of square footage would also require an SUP. An outcome of this amendment would be that developments with multiple structures may now need an SUP as part of the development process, when previously the SUP was only applied to a single structure.

Staff Recommendation:

Staff recommends approval of the amendment to Section 14.1.5 – Definitions for Development, Large Scale, as presented.

Exhibits:

Exhibit A – Draft Ordinance 2026-17

**TOWN OF ARGYLE, TEXAS
ORDINANCE NO. 2026-17**

AN ORDINANCE OF THE TOWN OF ARGYLE, TEXAS, AMENDING SECTIONS 14.1.5 OF THE TOWN’S CODE OF ORDINANCES TO AMEND THE DEFINITION OF “DEVELOPMENT, LARGE SCALE” TO STIPULATE CUMULATIVE EFFECT; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00 DOLLARS FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING SAVINGS/REPEALING AND SEVERABILITY CLAUSES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the Town of Argyle, Texas (the “Town”) is a Type A general-law municipality created in accordance with the provisions of Chapter 6 of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the Town Council has further investigated and determined that it to be advantageous and beneficial to the citizens of Argyle to amend the Code of Ordinances as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ARGYLE, TEXAS:

SECTION 1. Incorporation of Premises. The above and foregoing recitals are found to be true and correct and are incorporated into the body of this Ordinance for all purposes.

SECTION 2. Section 14.1.5 “Definitions – Development, Large Scale” of the Code of Ordinances of the Town of Argyle, Texas is hereby amended to read in its entirety as follows:

Sec. 14.1.5. – Definitions.

Development, Large Scale means a building or series of buildings, regardless of use, that is 40,000 square feet or larger.

SECTION 3. Penalty. An offense under this ordinance shall be a strict liability offense; in the prosecution of an offense under this Ordinance, no pleading or proof of intent shall be required to establish the guilt of an accused. Any person, firm, entity, or corporation violating any of the provisions or terms of this Ordinance shall, upon conviction, be punished by a fine not to exceed two thousand dollars (\$2000.00) for each offense, and a separate offense shall be deemed committed upon each day on or which a violation occurs or continues.

SECTION 4. Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that

any and all remaining portions of this Ordinance shall remain in full force and effect. Argyle hereby declares that is would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 5. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 6. Effective Date. This Ordinance shall become effective from and after its adoption and publication as required by law.

PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF ARGYLE, TEXAS, ON THIS THE ____ DAY OF _____ 2026.

APPROVED:

Ronald Schmidt, Mayor

ATTEST:

Erika McComis, Town Secretary